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## EDITORIAL COMMENT

The legal soundness of the Kansas City manager charter is now established, all efforts to have it declared void in both the state and federal courts having failed. The fight was being carried on by city job holders who raised a fund of \$11,000 to prevent a change of government through court proceedings.

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The recent report of the Free Public Baths Commission of Baltimore shows that during 1925 the indoor shower baths maintained by the city were used by 1,104,925 persons. In the same period 25,925 used the public laundries. The zeal for cleanliness seems to be increasing, inasmuch as the total number of persons were more than 100,000 greater than for the previous year. The charge of five cents for towel and soap brought in \$28,000 and materially reduced the cost of operating the baths.

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A newspaper writer, commenting on the results of the consolidation of Union Hill and West Hoboken into Union City, New Jersey, points out that taxes were reduced in one section \$2.70 and in the other section \$6.30 per thousand dollars of assessed valuation. He believes that the big drop in the tax rate speaks eloquently of the fruits of consolidation. "If such

a substantial drop can be brought about by the merger of only two of the thirteen municipalities in Hudson County, what may not the savings in taxes be," he asks, "through consolidation of all the municipalities in the county?"

This leads M. N. Baker to ask how many municipalities would have to be consolidated to reduce the tax rate to zero or produce a cash dividend for the citizens.

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### Banks and Public Funds

It is generally assumed that banks are anxious to become depositaries of public funds and that governmental accounts are highly profitable. Certainly public deposits, to quote a recent writer, have been a poisonous element in our practical politics. Allocation of funds among banks has been tied up to the patronage system and occasionally serious scandals grow out of the misuse of such funds by politicians and political bankers. A recent case of county deposits used to finance the speculations of a prominent churchman was reported by Martin L. Faust in the *REVIEW* for January last.

But, according to a writer in the *American Bankers Association Journal*, there is another side to the picture. The average bank loses money on its public deposits, and the number of

banks who refuse to accept them is steadily increasing. The reason is that wise bankers will not pay the price required to secure these funds. Custom and law compel a bank to extend services to states and municipalities which, if extended to all customers, would be the ruin of the bank. Thus public depositaries will pay losing rates of interest on daily balances, enter into ruinous bidding contests for public funds and incur the expense of putting up bonds or other forms of surety to guarantee the deposits. No such favors would be extended to private concerns, and the writer believes that it is time for the country banks to awake to the abuses they have brought upon themselves through their misguided zeal for a greater volume of business.

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Where Shall New  
Highways and Tran-  
sit Lines Be Located?

Mr. Turner, writing in this issue on the vicious circle of transit development and city congestion, calls a halt to efforts to relieve traffic conditions by the further construction of rapid transit facilities parallel to existing lines. New lines are congested almost the moment they are opened, with no relief to the older services. The potential possibilities in the use of land are almost unlimited because of lack of adequate building restrictions. New transit lines turn these potentialities into actualities and the vicious circle is begun.

There is sound common sense in Mr. Turner's advice. He wants New York to change its transit construction policy and build new lines, not in already congested Manhattan, but in the outlying unbuilt areas. Such development will tend to decentralize population and encourage new centers of business, but coincident with this must come more severe restriction on build-

ing operations to control the intensity of land utilization.

The obvious thing, of course, is what New York is doing at the moment, building a third subway the length of Manhattan Island to relieve the two existing lines, which had in turn had been constructed to relieve the elevated railways. But unfortunately the obvious thing is not what needs to be done.

And now it seems that a similar superficial remedy is to be applied to vehicular traffic. Governor Smith has signed a bill authorizing the construction of an elevated express highway for motor cars to run along the Hudson River from Canal Street to West Seventy-second Street. The cost will be about \$11,000,000. The roadway will be 65 feet wide; sufficient for six lanes of travel. There will be no cross traffic and a speed of over thirty miles per hour will be possible. Ramps to the ground level will be constructed at several points. Automobiles will be able to make better time than the subway and elevated trains.

The elevated highway is to be hurried because of the Holland Vehicular Tunnel under the Hudson, now approaching completion, with its New York terminal at Canal Street. In anticipation of the opening of the tunnel, real estate development has begun in the vicinity of Canal Street with accompanying increase in traffic congestion. The tunnel will necessitate several street openings, and the express highway is required to overcome the chaos which otherwise is bound to occur.

And so the blind process goes on. We build a tunnel to relieve existing methods of transport across the Hudson, and at once must devise new schemes for keeping our heads above the flood which we have brought. Undoubtedly it is a vicious circle.



# CRIME AND POLITICAL CORRUPTION IN CHICAGO

## FACTS VERSUS MELODRAMA

BY VICTOR S. YARROS

*The recent flurry in Washington advertised Chicago as the National crime center. Is the reputation deserved? Are their peculiar forces at work there? Is the Volstead Act responsible?*

*A priori*, it is safe to say, no serious student of social and political problems would be at all likely to conclude that one American city would be more lawless, more corrupt and more vicious than any other American city of the same general class. "Like causes, like results", is a scientific truism. The factors which produce crime, unclean politics and graft in Chicago yield exactly the same noxious crops in New York, Philadelphia, Boston, Detroit, Cleveland, St. Louis.

How, then, does it happen that a civic association organized to promote good local government in Chicago deemed it necessary and proper to paint the western metropolis as the most wicked and lawless city in the United States, to despair of all local reform efforts and send a deputation to Washington to invoke federal intervention—or, at least, a senate (instead of a local grand jury) investigation of the alleged appalling crime and vice situation in Chicago?

The answer is simple enough—the best of us make mistakes. The Chicago Better Government Association, in urging a senate investigation of Chicago conditions, did not intend to cast any unfair reflections on the city, or on the Dever administration, though it did attack, by implication, the present state's attorney of Cook county and did charge the police department

with graft and with protection of bootleggers and beer-manufacturers. The outcry against the association was ill-advised and thoughtless, however. Its indiscretion was venial and slight, and the general and indignant resentment of its alleged terrible defamation and misrepresentation of Chicago seemed to many of us here distinctly theatrical and thoughtless.

CONDITIONS ARE BAD, BUT  
NO WORSE THAN ELSEWHERE  
—BOOTLEGGERS

There is no reason to suppose that the situation in Chicago in respect of crime, criminal vice, booze and political corruption is worse than elsewhere, though it is bad enough in all conscience. Enlightened men of affairs, prominent lawyers, independent judges and sober-minded social and civic workers say the same things in letters or private conversations, which the Better Government Association ventured to say, as it were, from the Washington housetops; and the sober-minded say it with quite as much passion and heat. What, however, are the facts and figures?

There are, of course, no adequate, trustworthy figures or official data concerning the business of liquor selling and bootlegging. But certain facts are known, and from them certain inferences may be rightly and

safely drawn. There are many active and prosperous bootleggers in Chicago. They visit office buildings and fine apartment hotels, and offer long and alluring price lists. Not a few of them assure one that they have police officers on their payrolls. That is not at all improbable. Evidence of the alleged fact is occasionally discovered, but quickly suppressed by higher officials. Again, in foreign sections of the city wine is made in, literally, thousands of homes, and some of it is served at the foreign restaurants. Policemen are aware of these conditions, and presumably are paid for pretended ignorance and blindness. Only the preternaturally naïve believe that Chicago is dry. It is not dry and never will be. There is drinking in respectable homes, on railroad trains, in hotel rooms. University trustees have complained bitterly of the booze and open defiance of prohibition on crowded trains carrying proud parents to the scene of an intercollegiate football contest. Volsteadism is a farce in Chicago, and everybody knows it. The feuds among the rival cliques of bootleggers, beer-runners and smugglers are the result of quarrels over the distribution of territory—spheres of interest—and the purchasable favors of politicians and police officers.

PUNISHMENT MORE CERTAIN  
—MURDERS

Chicago has had for many years a Crime commission whose function it is to speed up the administration of criminal justice by such means as publicity, education and the gathering and dissemination of accurate data in regard to indictments, trials, convictions and final results in appellate courts in connection with crimes of violence. The commission has been criticised privately and publicly for its alleged timidity; its policy of co-

operating with, instead of "knocking," inefficient state's attorneys, judges and grand juries. The commission may be open to just criticism on that score, but its annual reports, at any rate, are not faked to make a case for this or that group of officials. Its conclusions are possibly over-optimistic, but it does not willfully misrepresent facts. Its testimony, therefore, is not unworthy of attention and credence. In its report for the year 1925 it states that there has been a steady increase in the number of convictions and in the actual penalties inflicted for serious crime. It has published the following tables:

*Percentage of convictions for five years*

1921.....	24.9
1922.....	48.37
1923.....	48.45
1924.....	55.62
1925.....	61.53

*Percentage of cases punished (probation denied)*

1921.....	24.9
1922.....	36.75
1923.....	37.27
1924.....	41.85
1925.....	46.19

Mayor Dever's chief of police, Captain Collins, produces figures in support of his assertion that police efficiency has notably increased under his administration of the department; that crime is less safe than formerly, and that the robbery rate has been steadily declining. Chief Collins furnishes the following comparisons:

	<i>Robberies reported</i>	<i>Robberies cleared up</i>	<i>Percentage of latter</i>
1922.....	987	331	33
1925.....	821	683	76

The foregoing tables would seem to indicate progress, not retrogression.

In connection with murder, however, the record is not at all encouraging.



Here are the local figures for six years:

	<i>Murders</i>
1920.....	194
1921.....	190
1922.....	228
1923.....	270
1924.....	347
1925.....	352

"A murder a day," on the average, is what Chicago has come to expect as a matter of course. This is arresting and bad, but how does the Chicago murder rate compare with that of other cities of the same class? F. L. Hoffman, consulting statistician of the Prudential Life Insurance Company, declared recently in an insurance journal that the American "murder record for 1925 was the worst we have thus far made" and that the murder "rate increased in 35 cities, remained unchanged in two, and decreased in forty" in the year under review. The highest murder and homicide rate in that year, according to Mr. Hoffman was not in Chicago, but in Jacksonville, Fla., and Memphis, Tenn. As regards homicide, Chicago led. New York city stood second on the list, and Detroit third.

Evidently, the murder question and the crime question generally are national, not local, questions.

#### CHICAGO NOT WIDE-OPEN OFFICIALLY —MAYOR DEVER

Of course, any city that adopts a wide-open policy toward illicit liquor selling, gambling, prostitution, prize fighting, medical quackery and fraud, and like evils, must expect an increase in crimes of violence. Dives, blind pigs, speak-easies and brothels are hotbeds of crime. But Chicago has not been wide open in recent years as a matter of municipal policy. On the contrary, every effort has been made to combat commercial vice and pro-

fessional crime. Although the city council has deteriorated, and too many of its fifty aldermen are of small caliber and low moral quality, it has not been a boodle council. It has been weak, inefficient, unequal to some of its functions, but it has not been cynically corrupt. As to Mayor Dever, Chicago has never had a chief executive of higher ideals and standards. If crime thrives, that melancholy fact is not due to any policy, act or omission of his. It is due to general conditions or factors.

One of these is the widespread contempt for prohibition. Another is heavy immigration of negroes from the South and serious congestion of the negro "pales of settlement." A third is the incompetence of the detective bureau. The city's so-called detectives, with few exceptions, are simple patrolmen of more than average ability and alertness. They never solve crime "mysteries," of which there are many, because they lack the requisite astuteness, adroitness and ingenuity. The department is under the merit system, but no special qualifications are demanded of would-be detectives. When a Sicilian or southern Italian is found murdered, the detectives run around in circles, announce obvious theories and accomplish nothing. When a notorious bootlegger is "bumped off," the detectives advance the subtle guess that a rival bootlegger is responsible for the murder, and with that contribution to the art they remain content.

#### CRIMINAL JUSTICE POORLY ADMINISTERED

Finally, the administration of criminal justice in Chicago is slow, backward, uncertain, inefficient. The prosecutors often lack real ability. They are selected by men who cherish political ambitions, hope to build powerful machines, and take advice

from ward bosses and spoils brigades. The state's attorney, for example, may dream of the mayoralty of Chicago, or the governorship of Illinois, or the federal senatorship, and may interest himself unduly in the political plans and fortunes of his subordinates and protégés, wasting public time and public money during campaigns and totally neglecting his official duties. The judges sitting in the criminal court are often mediocre, timid and good-natured; and patronage-dispensing ward politicians or influential and glib lawyers take full advantage of those frailties. Technicalities, continuances, loose trials, errors, appeals, and reversals, severally combine to deprive the criminal code of its supposed terrors.

Any analysis of the Chicago crime situation would only serve to emphasize the correctness of the contention made above—namely, that there is absolutely nothing unique in the situation. Everywhere in the country there are demands for crime commissions, code revision, court reorganization, procedural reform, elimination of legal technicalities, limitation of appeals. Everywhere there is complaint of sordid politics and spoils in the field of justice. Everywhere there is talk of public apathy, avoidance of jury service, vagaries of electorates, miscarriages of justice. Everywhere the same remedies and preventives are proposed by small groups, and everywhere the citizenry and the legal profession remain supremely indifferent to the whole problem, albeit not unwilling to applaud superficial orators who believe in more hangings, in

rebarbarization of society, and in the abolition of the humane parole system.

#### BETTER ORGANIZATION OF CITIZENS

However, something novel or original *may* be done by Chicago in connection with the crime problem. Thirty-odd civic and business organizations of the city have approved a report of a special citizens' committee which recommends the organization of "The Chicago Association for Criminal Justice" a federal body to be composed of all the existing civic agencies that are engaged in fighting vice or crime. There are several of these, and each has its budget, its supporters, its program and its methods—also its chronic deficit. The idea of federating them, eliminating duplication and waste of effort, adopting a comprehensive plan and giving each component unit a definite task, seems practical and promising.

Jealousies and rivalries have developed, however, and have checked the progress of the plan indicated. Some agencies are opposed to federation and to central control. Others believe that the immediate need is state-wide investigation of crime and criminal procedure rather than federation or agitation. As Chicago is considering a project for a brilliant World's Fair in 1933, to celebrate the city's centennial, and as there is much talk of preparedness for that great enterprise,—of cleaning up the city physically and morally, of making it safer and more attractive for visitors,—something substantial and beneficial *may* possibly result from the conferences on crime and the discussion of ways and means of curbing it. The hope is faint, but perhaps not irrational.



# IS THERE A VICIOUS CIRCLE OF TRANSIT DEVELOPMENT AND CITY CONGESTION?

BY DANIEL L. TURNER

*Consulting Engineer, New York Transit Commission*

*Shall we ever catch up in rapid transit construction? No, unless we build decentralizing lines or limit building operations and the extent to which land can be used. :: :: :: :: :: :: ::*

Is there a vicious circle of transit development and city congestion?

To help to find the answer to the question I am going to give an outline of our later rapid transit development in New York city. The transit problem in New York has become a perpetual disease and I do not believe that any serum has yet been discovered that will cure it quickly.

## FIRST SUBWAY CONGESTED IMMEDIATELY

The first subway construction program was started in 1900. Since that time subway construction has been almost a continuous performance. The city has been building subways intermittently for 26 years, but despite that fact the construction program now is at least 15 years behind needs. I do not believe that we shall ever catch up with our transit requirements.

In 1904, prior to the operation of the first Interborough subway, the elevated lines serving Manhattan, the Bronx, and Brooklyn carried approximately a total of 384 million revenue passengers. The new subway began to operate in 1905. In 1910, after only five years of operation, the total rapid transit traffic had jumped to 725 million passengers. This was a 90 per cent increase or almost a doubling of the traffic in six years. But the astonishing thing about this tremendous growth

was that most of it was a new kind of traffic. It consisted mostly of subway riders. Out of the total increase of 341 million passengers in six years the new subway was carrying 269 million of them. Or expressed in another way, in less than five years, the first subway carried as much traffic as it took the Manhattan Elevated System 30 years to develop. The high speed furnished by the express service in the subway was the magnet. Because of it the people were actually induced to ride more than they had ever ridden before. The service was so quick and convenient that one thought nothing of traveling up and downtown, whereas formerly such a trip used up half a day. Furthermore, offices located in the mid-town section were only a few minutes away from downtown. One could travel between the two sections as quickly as he could from building to building downtown where walking was necessary. This spread the office building development and created traffic between the downtown and mid-town sections. In 1904 there were 98 rides

ED. NOTE.—This incisive indictment of past transit expansion policies was read in New York at a recent meeting of the Snag Club (an informal group meeting now and then to talk over various methods of getting rid of snags) and is so full of practical sense useful to all cities that The REVIEW is glad to be able to publish it. Mr. Turner needs no introduction to our readers.

per capita on all the rapid transit facilities in the city combined. In 1910 there were 152 rapid transit rides per capita, an increase of over 55 per cent in the rapid transit riding habit in six years. As an illustration of the unexpectedness of this condition of affairs, originally it was thought that the new subway eventually might carry 400,000 passengers per day. It was actually carrying 850,000 per day before it was five years old, and just prior to the East and West Side subway operation it was carrying 1,250,000 per day. In other words, the new subway instead of relieving the congestion, accelerated the traffic increase and in a short time created a worse congestion than before. Therefore almost immediately the city was confronted with the problem of relieving the congestion on the first subway.

#### DEVELOPMENT FOLLOWS NEW SUBWAY LINE

People swarmed along the new subway line. Along its residential sections it was over-built with housing accommodations almost at once. Also the business district from 59th Street south in Manhattan began to develop in an intensive fashion. In lower Manhattan buildings were piled up in great masses. Around Times Square a great amusement center came into existence. These tremendous concentrations of business, amusement and living activities and the ability to multiply them almost without limit became the most difficult phase of our transit problem. At this time, in 1910, almost twice as many rapid transit passengers were originating in business Manhattan below 59th Street as in 1904. In 1910 this concentration of traffic in business Manhattan amounted to 345 million passengers as compared with 180 million in 1904.

These figures mean that in 1910 nearly as much traffic originated in business Manhattan as all of the rapid transit lines carried throughout the city in 1904. The result of these conditions was that the construction of new rapid transit facilities without delay became imperative.

What did we do? Practically all of the territory traversed by the existing rapid transit lines in Manhattan, the Bronx and Brooklyn was developed to such a point as to saturate the facilities. Did we look around in the outlying sections—in Queens, for example, or in Richmond—to find locations for new lines where no rapid transit lines had yet been built and therefore where there were no populations waiting to be served? Did we seek routes through business sections that were practically undeveloped and where high buildings were not yet reaching up to the sky? Did we do these things and in this way impel new populations to build up new home sections and new business sections and thus draw people away from the congested areas and thereby relieve the congestion? No! Instead of creating such decentralizing transit facilities, in order to take advantage of the fact that the population always follows rapid transit, and thus utilize the new lines to diffuse the population and thus relieve the congestion on the old lines, we did just the wrong thing. In effect we expanded the existing facilities instead. We located most of our new lines through the already overdeveloped territories both in the outlying sections and through business Manhattan. We constructed more lines for Manhattan, for the Bronx and for Brooklyn, with the idea that the new lines must be located where the congestion existed in order to relieve such congestion. Now note the effect of this policy.



TRAFFIC GROWTH BROUGHT  
CONCENTRATION

The Dual Contracts were signed in 1913, but between 1910 and 1915 although construction was under way no large operating additions were made to the rapid transit systems. However, during this period, the rapid transit traffic increased about 105 million passengers—or from 725 million to 830 million. Beginning in 1916 the operating systems were gradually enlarged. In 1918 the East and West Side subways were operated. Also in 1918, the Brooklyn subway system inaugurated its Broadway line service to Times Square. By 1920 the combined systems were 179 track miles longer than they were in 1915. And during these five years of only partial operation of the new systems the total traffic increased 60 per cent, or increased 502 million passengers as compared with the 105 million between 1910 and 1915, and 341 million between 1904 and 1910. Or all of the rapid transit lines together were carrying one and one-third billion passengers in 1920. Rapid transit history was repeating itself. Congestion was beginning again in the old much served rapid transit territories just as it had begun within five years after the first subway was operated. Once more the question of urgent relief was discussed—urgent relief for those parts of the city which had already fattened on nearly 675 million dollars' worth of rapid transit facilities, while other parts of the city were starving for rapid transit.

Finally, in 1925, although the Dual System was not yet completed, the combined rapid transit facilities in the city were serving 1 billion 681 million passengers. This is 871 million more passengers than were carried, or over double the number carried, when the Dual Contracts were signed 12 years

ago. Also this 1925 traffic amounted to over four and one-third times as many passengers as were carried, or to 1 billion 297 million more passengers, than just prior to the operation of the first subway in 1904, 21 years ago. Again, just as before, the rapid transit riding habit was increasing rapidly. In 1925 it was 276 rides per capita compared with 161 for 1913 and 98 for 1904. The 1925 riding habit on the rapid transit lines alone was greater than on all facilities—surface and rapid transit—in 1904.

Furthermore, the concentration of traffic in business Manhattan was keeping pace with the enormous traffic growth. In 1925 this concentration had reached the tremendous total of 748 million passengers—or nearly 45 per cent of all of the rapid transit traffic throughout the 300 square miles of the city was originating in the eight square miles in Manhattan from 59th Street south. In other words, during 1925 nearly seven times the population of the United States boarded rapid transit trains in this business section of Manhattan, or in an area less than three per cent of the city's total area. This figure was double the amount for 1913 and quadruple the amount for 1904, but still the concentration goes on increasing at an accelerating rate. Limit height buildings are being constructed in this area faster than ever before. Somebody remarked when the Seventh Avenue subway was being constructed that he wondered where the Interborough Company was going to get any business on that line. In 1925, seven years after the line was operated, 152 million passengers originated on the stations of the Seventh Avenue subway from Times Square south inclusive. The Fourth Avenue subway from Grand Central south inclusive developed 150 million passengers during the same year. That is to

say the traffic on the Seventh Avenue line in seven years caught up with and passed that on the Fourth Avenue line which had been operating for 20 years. With these figures before you is there any question in anybody's mind about the population following rapid transit? The Seventh Avenue line in part followed an entirely new street and in other parts traversed practically undeveloped territory insofar as business was concerned, so this case is also an example of how a business section does develop under the influence of rapid transit. More than 91 per cent of the entire population of the city lives within convenient access of the rapid transit lines, and where such lines deliver them in the business sections there business development immediately responds and consequently there the rapid transit riders find their work.

#### HISTORY REPEATS ITSELF IN PRESENT CONSTRUCTION UNDER WAY

Now for the third time within about 25 years the city is constructing a new rapid transit system for the purpose of relieving transit congestion, and it is doing it to a large extent in the same old way, just as it has been done twice before. I say to a large extent as before, advisedly, because the plan does include more outlying lines and routings through undeveloped business sections than on the two previous occasions. But it is also a fact that some of the new lines parallel existing facilities, and one of its trunk lines in Manhattan traverses the most congested business areas. So what has happened twice before is going to happen the third time. Three times rapid transit history will have repeated itself. The Manhattan trunk lines of the new system, instead of relieving the congestion will in their turn become congested within a few years after operation begins.

Now, from what I have said it seems impossible to avoid the conclusion that what has been happening as a result of the rapid transit policy of the city, is this: Because the population always follows rapid transit the first subway induced a much greater use of the land it traversed than it was able to accommodate with a rapid transit service. This produced congestion. This congestion in turn created an irresistible demand for new subways to serve almost the same territories as before. Then more congestion occurred, necessitating in turn still more subways. In this way the problem has gone around and around in a circle, from congestion to new subways and—then again to congestion. As each new subway system was provided it developed a new traffic of its own, therefore instead of relieving the congestion it really created a worst congestion than before. Even before the new line was ready for operation the territory that it was to traverse built up in anticipation of the prospective service, so that when the new line opened for operation, the traffic, figuratively speaking, was sitting along the curb waiting for it.

#### THERE IS A VICIOUS CIRCLE

Consequently, the answer to the question I have been considering must be in the affirmative. Yes! There is a vicious circle of transit development and city congestion. Now the next question is, can the trouble be cured. Let us see about it for a moment.

The vicious circle has been created:

First, because the potential possibilities of using the land are almost unlimited on account of insufficient restrictions, and

Second, because this potential land use always will be developed to the utmost extent that the transit facilities will permit.



For example, a business building can be erected on a single block that will accommodate a circulating population in and out of over 100,000 people in a day, or will easily supply space for 15,000 workers in the building, who, in turn, will saturate over four times the sidewalk space and ten times the roadway space normally available around it, and will also require one-fifth of the full capacity of an existing four-track subway to serve it in the rush hours. Five such buildings would fully utilize the entire capacity of a four-track subway. A single big shop can be built on another block that will serve 75,000 customers a day, or coming and going will create 150,000 transit passengers. And in the residence sections block after block of home barracks ten and fifteen stories high will develop a population density at the rate of fourteen to fifteen hundred people per acre. It does not take much of this kind of land use to saturate all of the rapid transit facilities that can possibly be constructed through any given area. Manhattan below City Hall is very nearly saturated now as far as street and transit facilities are concerned, yet its capacity for potential development is two and one-half times greater than its actual development. The remainder of Manhattan probably has a potential development capacity of six or seven times its actual development. Therefore, from these illustrations of the development possibilities, it is apparent that there is opportunity still for vast building operations in business Manhattan—for an almost unlimited development, if enough rapid transit facilities can be supplied to serve the area.

To continue the transit policy of paralleling and duplicating existing facilities, and thereby permitting and encouraging the areas served to develop almost without limit for both residence

and business purposes in my judgment is fraught with dangerous consequences to the city. Our street systems will soon be strangled. Neither the sidewalks nor the roadways of the streets will be able to accommodate the traffic that will be produced. The city's fire protection machinery will not be able to function and consequently the fire hazards will be greatly increased. The public health will be jeopardized and the congestion problems of all kinds that are developed will soon become a public menace.

But since under the conditions of unlimited building possibilities the expanding of rapid transit facilities in congested sections only makes the congestion worse, then we must change our rapid transit policy:

Either we must restrict or limit the building operations in such areas thus balancing the land use with the transit facilities available, and thereby relieve congestion;

Or, we must change our transit construction policy, and build new rapid transit facilities through outlying unpopulated areas and route them through unbuilt business sections—in other words, construct decentralizing rapid transit lines, thus inducing the use of undeveloped sections for both home and business purposes, thereby attracting the population away from the congested districts and in this way relieve the congestion.

As I see it, these are the only two alternatives available for curing our trouble. But even by one or the other of these means, the only way that the cure can be effected is by educating the people themselves to the necessity for a new rapid transit policy. The people who suffer from the congestion are the ones who clamor for the relief. They do not want to move their homes to a new location or to change their travel habits. They demand the ob-

vious thing. They demand new lines that will serve them as they are—that is to say, lines that will take them from their present homes to their present working places. This demand for the duplication of existing facilities cannot be resisted, particularly when there is no population to agitate and shout for the thing that ought to be done—for the decentralizing lines that should be constructed through the unpopulated and undeveloped sections. The officials charged with the duty of locating and constructing the new lines cannot withstand the public pressure. There-

fore they are not responsible for the conditions. But it is the people who complain most about the prevailing congestion who are compelling the wrong kind of transit development that in turn is perpetuating the evil that they themselves are crying out loudest against.

Consequently, in the last analysis, the cure for our vicious circle resolves itself into educating the people as to the causes of the trouble and to the necessity of constructing new rapid transit lines that will decentralize our city activities.

## SEATTLE'S CITY MANAGER VOTE AND FIRST WOMAN MAYOR

BY M. H. VAN NUYS

*Member of Seattle Bar*

*Election of the first woman mayor; second defeat of the manager amendment with assistance of organized city employees and politicians; election of a charter commission which will propose a "city business manager." These are the high spots in this complete and authoritative story.* :: :: :: :: :: :: :: :: :: ::

IN March, 1925, a city manager amendment to the charter of Seattle, Washington, was defeated by 4,519 votes, due to the organized opposition of the city civil service employees. The Seattle Municipal League, a non-partisan men's civic club, had originated the plan and had been its chief supporter.

Following this defeat, the Municipal League revised the amendment, making a few alterations. The amendment left unchanged the charter provisions as to the city council—nine members of the council, elected at large, three elected each year to serve three years, at \$3,000 salary a year. Under the amendment, the council would appoint

a city manager who would appoint the department heads, seven in all; and the council would also appoint a civil service commission. The changes from last year's plan were: The city comptroller and corporation counsel to be appointed by the council, instead of by the manager; and civil service employees to be removable by the civil service commission (as at present) instead of by the manager. The council was prevailed on to order this amendment placed on the ballot for the next city annual election, March 9, 1926.

### DUST THROWN IN VOTERS' EYES

The opponents of the manager plan realized that to defeat the amendment,



the safer course would be to confuse the issue. While the council was considering whether to place the amendment on the ballot, a petition was presented to it requesting it to call an election of 15 freeholders as a commission to revise the city charter. This petition, filed September 24, 1926, bears 8 signatures, followed respectively by these words: "Pres. Freeholders Charter Revision Committee," "Secretary, Freeholders Charter Revision Committee," "Trustee, United Veterans' Club" (who was also attorney for the civil service employees), "President, Washington State Federation of Labor," "Secretary, Central Labor Council," "Police and Firemen's Association," "Civil Service League," "President, Central Labor Council." The city manager plan opponents about the same time started to circulate an initiative petition, to compel the council to call this freeholders' election. They also brought pressure upon the council to place on the ballot city manager amendments with such provisions as an independent police commission, and a utility business manager. The council finally passed an ordinance calling the election of 15 freeholders for charter revision at the next election March 9, 1926. The fact that the mayor signed this ordinance was concealed for a week. The Municipal League then circulated a petition to have the ordinance referred to the people for vote, but failed to procure sufficient signatures in time.

Bellingham, Washington, had recently voted down a city manager charter prepared by a freeholders' commission, thereby causing unnecessary labor and expense to taxpayers. The senator from that district introduced into the state legislature, about December, 1925, a bill providing that whenever an election of freeholders to revise a city charter is called, there shall also be placed on the same ballot, the ques-

tion whether there be any charter revision by the freeholders at all. The bill was amended, however, by a joker which provided that no charter amendment could be voted on at such election. Two of the legislature, men from Seattle, discovered the joker a few hours before the bill was voted on by the house. The joker was rejected and the bill passed. The joker was traced to the freeholders' committee.

The opponents of the city manager amendment persuaded fifteen citizens, most of whom were prominent, to become candidates for the freeholders' commission. These fifteen men were the first to file and filed in a line as soon as the filing books were opened. They insisted on their names appearing upon the ballot in the order of filing. Friends of the city manager amendment brought suit, and the state supreme court held that all names must appear on the ballot in alphabetical order. None of the eight petitioners filed, except the labor secretary, nor did any civil service employee, except one who later withdrew. This group of fifteen announced no platform and voiced no policy except opposition in general terms to the proposed city manager amendment.

#### MRS. LANDES RUNS AGAINST ADVERTISING DENTIST

The leading candidates for mayor at the election were two, the present mayor, Dr. Edwin J. Brown, an advertising dentist and experienced politician, and Mrs. Bertha K. Landes, chairman of the city council, club woman, and wife of a professor in the State University. No prominent business man ventured to run for the office. Mrs. Landes was undecided until the last day for filing, and did not resign from the city council.

In the summer of 1924, while Mayor Brown was attending the Democratic

Convention in New York, Mrs. Landes by virtue of her office as chairman of the council, became acting mayor. She discharged the chief of police and placed in charge a former chief of police who held an excellent record for law enforcement. Mayor Brown rushed home and re-appointed his chief. In the fall of 1925, a debate took place between the pastor of the First Baptist Church and Mayor Brown over law enforcement in the city, the pastor occupying the pulpit one Sunday and Mayor Brown occupying it the next. Later a grand jury of the county recommended that Mayor Brown be impeached by the city council, but the council declined. Shortly before the election, occurred the four weeks' trial, in the federal court at Seattle, of Roy Olmsted and over twenty-five others, which resulted in the conviction of Olmsted and several of the others of a liquor traffic conspiracy on an extensive scale. Olmsted was an ex-police officer of Seattle. Mayor Brown defended his administration, denouncing his enemies, proclaiming the business prosperity of the city, and holding up the city manager amendment as a menace to democracy. Mrs. Landes advocated law enforcement and the adoption of the city manager amendment, declaring that she preferred having an efficient manager form of government to being mayor. The amendment, if carried, would take effect the day the new mayor would take office and would abolish that office.

#### THE CAMPAIGN

The advocates of the city manager amendment, under the leadership of the Municipal League and the hearty and intelligent co-operation of women's clubs and numerous public spirited men and women, conducted a remarkably well organized and efficient campaign. Their public speakers made about three

hundred addresses including debates. They stressed the merits of the amendment and cited the experience and statistics of city manager cities. Many of them claimed that the originators of the freeholders' movement desired no change in the present system but aimed to confuse and divide the voters, also that any charter framed by the group of the fifteen freeholder candidates, part conservative, part radical, would be such a compromise as the people would reject. No united or organized opposition was made against the freeholders' proposition or candidates. The Municipal League, however, refused to endorse or recommend any freeholder candidate. The expense of the campaign for the city manager plan was about \$4,200, raised largely from small contributors.

The *Seattle Times* which last year had opposed the manager plan, rendered wholehearted and valuable service to the manager campaign, although not adverse to a freeholders' commission. The *Post-Intelligencer* published occasional favorable editorials and liberal news items, recommended the amendment and published a number of articles by the president of the Municipal League. The *Star* urged the idea of charter revision by a freeholders' commission, but when the first fifteen candidates filed and became known, it thereafter strongly supported, as last year, the city manager amendment. The *Union Record* (labor) fought the amendment, as last year, and advocated the freeholders' election.

#### CITY EMPLOYEES CONTRIBUTE TO CAMPAIGN OF ANTIS—

The advocates of the freeholders election had little difficulty in raising ample funds. Civil service employees were solicited and a large fund was raised from them. The city charter forbids soliciting money from civil



service employees "for any party or political purpose whatever." But the corporation counsel advised that this was not for a "political purpose." In the course of the campaign, the first 15 freeholder candidates were driven, by the logic of the city manager debaters and speakers and by the growing public sentiment, into publishing that they were not opposed to a city manager plan but that the city manager amendment was objectionable in that it was different from the plans in other city manager cities. They did not, however, point this out nor show how the amendment departed from any established principles of city manager government. They urged theoretical objections. They cited the opinion of the corporation counsel that the amendment was illegal. They would be the people's representatives and would be open-minded.

In the confusion, thousands of voters voted for the amendment and also for the freeholder candidates' proposition.

#### ELECTION FIGURES

Strong appeals were made for all citizens to register and to vote. Women's clubs and ministers were particularly active in this call. A record-breaking vote was cast at the election, March 9, 1926. The vote was as follows:

For Mayor:

Mrs. Landes. . . . . 48,700

Dr. Brown. . . . . 42,802

For Against

City manager amendment. 36,598 36,709

Proposition whether the charter be revised by free-

holders. . . . . 33,033 28,331

15 Freeholders. . . . . Elected

3 Members of city council. . . . . Re-elected

All of the fifteen who filed first were elected on the freeholders' commission, with a single exception, although there were on the freeholder ballot 46 names

alphabetically arranged. The votes ranged from 14,158 to 27,039.

Who composed this freeholders' commission? Eight conservative business men, including three ex-presidents of, and an ex-treasurer of, the Associated Industries, an organization of employers opposed to labor unions; a former corporation counsel, now a member of the law firm of the Puget Sound Power and Light Company, competitor of the municipal power and light plant; the local attorney of the Northern Pacific Railway Company; an attorney associated with and in the office of the law firm of the Pacific Telephone & Telegraph Company, invited to be a freeholder candidate by the veterans of foreign wars; the editor of the *Union Record* (labor); the Secretary of the Central Labor Council and one other trade unionist; and a Presbyterian minister.

Due to the fact that the amendment lost by only 111 votes and that there was some suspicion as to the returns, the election board was inclined to reopen the backs of the voting machines and recount the votes on the amendment. But two of the labor members of the freeholders' commission brought proceedings to enjoin a recount; and the state supreme court has now decided in favor of the injunction.

#### OUTLINE OF NEW CHARTER DRAFTED BY COMMISSION

The 15 freeholders are now framing a revised charter for the city, which later on will be submitted to the voters for approval or rejection. The law allows them 60 days in which to complete their charter. Thus far they have had a number of public hearings. They have made public a tentative outline of their plan—the city to be divided into seven districts; the city council to be composed of fourteen members, two from each district, each member to

serve two years; each district to nominate two candidates for each annual election, seven of whom, to be elected at large each year; councilman's salary not to exceed \$1000 a year; a "mayor" to be one of and president of the city council, and to receive \$7,500 salary a year; the city comptroller, treasurer and corporation counsel, to be elected by the people; a commissioner of health, a board of welfare and recreation and a civil service board to be appointed by the city council; a commissioner of parks to be appointed by the city business manager; the mayor to appoint a police commission; a "city business manager" to be appointed by the city council and to have charge of the other administrative departments; the heads of these departments to be appointed by the manager subject to

the approval of the city council; these departments to remain as now existing; Mrs. Landes, and the other elected officers of the city to hold office until their respective terms expire; the manager to be removable by the city council for cause.

Harold Preston, president of the Municipal League, and for a generation one of the ablest constitutional lawyers in the state, rendered remarkable service to the city manager cause. He devoted his time in perfecting the amendment, in defending its legality, in public addresses and written articles, and in enlisting the sympathy and co-operation of newspapers and citizens who knew his ability and fairness.

Mrs. Landes will take office as Seattle's first woman mayor on June 7, 1926.

## SUNNYSIDE GARDENS

### A SUCCESSFUL EXPERIMENT IN GOOD HOUSING AT MODERATE PRICES

BY ALEXANDER M. BING

*President, City Housing Corporation*

*Sunnyside homes, built by the City Housing Corporation, a limited dividend company, are the result of the social vision and business ability of Mr. Bing. Solid brick, single-family houses of six rooms can be bought for \$8830 (ten per cent down and \$66.78 per month). They are accessible to subway, elevated and bus lines. Private gardens, and community playgrounds and parks are provided. The corporation, which is in excellent financial condition, has brought good homes within range of New York City wage earners. :: ::*

THE CITY HOUSING CORPORATION was organized in the winter of 1924. The period since the war had been one of acute housing shortage and suffering, but very little had been done to ameliorate housing conditions.

In fact, since the organization of the City and Suburban Homes Company, twenty-five years ago, no important forward step in housing had been taken in New York city, except the Russell Sage Foundation development



at Forest Hills. Indeed almost nothing had been done in this entire section of the country.

In the meantime, in England, the garden city movement had grown up and had found embodiment in two notable undertakings; the construction of the cities of Letchworth and Welwyn. Throughout England and the continent many fine garden suburbs had also been developed.

In practically every European country the provision of workmen's homes is being undertaken on a considerable scale by the government and by limited dividend companies. Financial assistance is given by practically every European government toward the building of workmen's houses.

In America, the providing of homes has been left entirely to private initiative, and with the exception of a short-lived tax exemption, no government aid whatsoever has been forthcoming either to assist in providing the necessary capital or otherwise.

Realizing the extent of the need, the organizers of the City Housing Corporation have started the company with very high ambitions. They hope to develop a corporation which will be engaged continuously in providing better homes, which will constantly grow in capital, and which will, eventually, build entire communities somewhat along the lines of the English garden cities of Letchworth and Welwyn.

The housing reformer is confronted with the fact that under prevailing conditions the income of the lower paid wage earners is insufficient to pay for homes conforming with modern minimum standards. It is therefore essential that ways and means be found to produce good homes for less money. A detailed analysis of the elements entering into housing costs would be out of place in this paper. These

costs may, however, be roughly divided into the following—land, public utilities and site development, the construction of the house itself, and lastly the cost of financing, including the profit of the builder.

#### THE SUNNYSIDE DEVELOPMENT

The City Housing Corporation has set itself the task of attacking all of these items and endeavoring to work out better, more economical and more efficient methods for each one. The opportunities for improvement in each of the above categories are almost limitless. It remains to be seen how much this particular group of persons can accomplish.

As a means of making a start and at the same time safely investing the capital thus far entrusted to it, the company, in the early spring of 1924, purchased a tract of land in Long Island City lying between Queens Boulevard and the Sunnyside yards of the Long Island Railroad. Seven hundred and sixty twenty-foot lots were purchased from the railroad, and about three hundred from other owners. The railroad purchase was made first, and before it became public, the company bought all of the surrounding land which could be procured at about the same price.

It was realized that the development of the larger tract would inevitably mean an enhancement of value of all the surrounding land, and the principle of excess condemnation was applied in the purchase of the adjacent land. The possibilities of taking advantage of the improvements the company was about to make were limited in two ways: the initial capital of the company was insufficient to permit it to buy extensively; and most of the adjacent land was held at prices too high to warrant their purchase at that time. Much of the company's excess land

has been sold, within the last few months, at a handsome profit.

The actual building of houses was begun in the early spring of 1924. The first unit of homes consisted of 6 six- and seven-family apartments, 40 two-family and 8 one-family houses. Four purposes were kept in mind—to produce good homes at as low a price as possible; to make the company's investment safe; and, if possible, to realize a surplus which could be set aside as a sinking fund to guard against future loss, and lastly to use the work of building and selling houses as a laboratory in which to work out better house and block plans, and better methods of construction and financing.

#### FINANCIALLY SUCCESSFUL FROM BEGINNING

The policy was adopted of selling all the houses. Those for one- and two-families were sold outright to individual buyers. The apartment houses were conveyed to a co-operative association which was organized by the City Housing Corporation, and the stock of this company was sold to persons who received a proprietary lease on the apartment they wished to occupy.

This first group of houses was finished rather late in the summer and fall, when the small house selling season was almost over. Nevertheless, they sold very readily. Co-operative apartments proved somewhat more difficult to dispose of as it took a little time to reconcile former renters of inexpensive apartments to the co-operative feature.

The financial results to the company of these first sales were a profit on houses sold sufficient to pay overhead and to meet the carrying charges on all vacant land held by the company, stock dividends at the rate of 6 per cent per annum, and finally a small surplus.

In the spring of 1925, the construction of a second unit to accommodate 225 families was commenced. A larger proportion of one-family houses was built, and a three-family apartment was added to the different types under construction. The first of these houses was completed about May 1, and others followed during the summer until early in September. The houses have sold very well indeed, and were practically all disposed of immediately, or very shortly after completion. The company has paid dividends in full, since its organization, at the rate of 6 per cent per annum, to which it is limited by charter; and its statement of January 1, 1926, shows a surplus of \$170,000. The remaining vacant land is carried on the books at its original price (although the market value is now much higher), the company having adopted the principle of writing off all carrying charges on vacant land as an expense. By next summer, the company will have provided homes for 625 families of a quality unobtainable elsewhere at the price, and sold to purchasers on much easier terms than the market generally affords.

#### INTERIOR GARDENS INSTEAD OF UNSIGHTLY ALLEYS AND BACK YARDS

Substantial results have also been achieved on the experimental side. The conventional way of constructing one- and two-family houses, in practically all American cities, is to build them in long rows with an alley-way in the rear giving access to tin or frame garages. These alley-ways are poorly paved, and it being nobody's business to care for them, soon become dirty and unsightly. The back yards reduced in size by the alley-way, are further encroached upon by the garages and other sheds and outbuildings. Most of these blocks afford the children little place to play, except the street.



The City Housing Corporation, in order to do away with these unsightly alleys, restricted the first block to be built against garages. The block interior, for about 60 feet in width, has been made into a garden, with forty years easements to secure its common use by all residents of the block. Each owner pays a small monthly charge to cover the cost of upkeep, and the management is placed in the hands of trustees, two of whom represent the owners, two the corporation and a fifth member who is neutral, unconnected with either. In addition to this interior garden, each house has its own private yard in which the owner may do as he likes, except that there may be no building or alteration here, or elsewhere, without the consent of the block trustees. The garages are all grouped at one end of the property. They are rented at eight dollars per month, a price which is expected to pay a fair return on the investment in them and amortize it in a reasonable length of time.

#### PLAYGROUNDS AND PARKS

In this first development additional garden space was provided by leaving vacant a plot 125 by 100 feet, dedicated as a private park for the benefit of the residents in the first unit of houses and placed under the control of the block trustees.

At a conference with playground experts, including representatives of the Playgrounds Association of America and the Russell Sage Foundation, it was decided that in future units it would be better not to locate this extra play space in each block, but to provide instead a larger playground in some other part of the development. It was decided to continue restrictions against garages, and to continue the interior block parks. These are to be used as playgrounds for very young children,

and as places where the older people can cultivate an ornamental garden, or make any other use which they and the trustees deem proper. Just how block interiors should be equipped, used and managed, is one of the things about which the company is acquiring a fund of experience and knowledge as the development progresses. Sand boxes, swings, seesaws and tennis courts, have all found more or less favor.

For the larger park, the company has set aside forty-five city lots at one end of the property, which will be dedicated in perpetuity for the use of the residents of the Sunnyside development. This park will contain tennis, hand ball and basket ball courts, a baseball field and space for other sports. Part of it will be laid out so that it can be flooded in the winter for skating. It is intended to deed the park to the Community Trust of New York to hold for the use and benefits of Sunnyside houses, and to be managed by a committee representing the residents and the City Housing Corporation.

#### NEIGHBORHOOD ORGANIZATION

Neighborhood organization has flourished to an unusual degree in the new community. In the first place the fact that the development is in a somewhat isolated situation favored joint action, and at times made it necessary. The neighbors were also brought together by the block playgrounds and block restrictions, which made the election of representatives obligatory. The co-operative apartments were also a factor in fostering the organization of the new group. Shortly after the new homes were occupied, an active neighborhood association was formed, and in the second unit of houses a similar organization was created. These two associations have committees to look after various neighborhood needs. They

conduct entertainments, and take an active interest in the educational and civic problems of the new settlement. They have induced the New York Public Library to place several hundred books in the community rooms (which are located in the second co-operative apartment group), and have also made several attempts to start a community paper.

Due to dissension in the first unit, its neighborhood association was disbanded, whereupon the second association voted to change its title of second Sunnyside Neighborhood Association by omitting the word "Second," and become an organization which all Sunnyside residents could join. It seems likely, therefore, that the cumbersome arrangement of an association for each group of houses will give way permanently to a single organization to include the residents of the entire development. The property interests of each house owner will probably necessitate a property owners' association for each square block, in order to elect trustees to care for the block interiors and to decide questions which relate peculiarly to a particular square block. For matters of general civic and community interest, which call for joint action by all the residents of Sunnyside, the neighborhood association will probably function. This is the arrangement which seems to promise the best results. An experiment in block and community organization is therefore being worked out in a natural way, and its results are being tested by actual experience.

#### RESEARCH INTO CONSTRUCTION COSTS

On the construction side, the work at Sunnyside is going to make possible the study of comparative costs of single and of multi-family houses in a much more thorough fashion than has heretofore been possible, and data is being

gathered, and cost studies made, which should prove of great value. It is also hoped that contributions will be made in working out better use of materials, and perhaps even in the discovery of new methods of construction. A research department is about to be established, and it is intended that results of research and cost study will be regularly published for general criticism and use.

#### TERMS OF SALE

There are many people who desire to own their own home who have a fair income, but who have been prevented from saving any substantial amount of money. The City Housing Corporation has adopted a selling plan, under which the purchaser makes a cash payment of only 10 per cent of the price of the house, and gives back a ninety per cent mortgage, paying this off in small monthly installments. In some cases, however, just the people whom the company would like to help, people who would make very desirable residents in the new community, have found it impossible to save even the small amount needed. From the standpoint of the company, it is desirable to adopt a uniform plan and not to sell houses on a smaller payment than 10 per cent. A loan fund has therefore been established, outside of the company's treasury which, in proper cases and without charge, loans a prospective purchaser the difference between the 10 per cent of the purchase price and the amount of his savings. The loan is repaid in monthly installments over a period of one or two years. As these payments are in addition to the regular monthly charges required to be paid under the company's mortgage, the purchaser's income must be sufficient to meet both payments. In a number of cases this loan fund has enabled persons to become home



owners for whom the privilege would have been otherwise absolutely impossible. In every instance to date, payments have been regularly met.

In the 90 per cent mortgages, provision is made for monthly payments of all regular charges—taxes, mortgage interest, amortization, water rates, insurance and garden upkeep. These payments average, for one-, two- and three-family houses, about ten dollars and fifty cents per room, per month. Amortization is so arranged that the mortgage is completely paid off in about twenty-two years. For less than normal rent for similar accommodations, these Sunnyside residents are therefore becoming the free and clear owners of very valuable property.

An interesting experiment is also being made in the issuance of mortgage bonds with which to finance the purchase money mortgages which the company is receiving on the sale of houses. If successful, a solution will have been found for one of the most difficult problems connected with the production and sale of small houses.

#### DIVIDENDS LIMITED TO 6 PER CENT

No matter how prosperous the company may become, it can never pay a higher dividend than 6 per cent. Its policy, however, is to endeavor in addition to paying regular dividends, to accumulate a sinking fund to insure the safety of the investment. It is absolutely necessary to convince the investing public that limited dividend companies can be conducted on a business-like basis, and are absolutely safe investments, and at the same time that, when properly managed, they can accomplish very real improvements in housing and living conditions.

City Housing Corporation stock has been subscribed to the extent of about \$1,750,000. To secure maximum efficiency, ten-times this amount of

capital could be used to good advantage. The larger the company becomes, the safer its operations will be—the greater the economy in all the branches of the company's work. A continuous effort will therefore be made to extend the distribution of the company's stock.

The Long Island City development will be completed in about two years—approximately one thousand houses will have been provided and sold on easy terms, and a very unusual community created. At the same time, regular dividends will have been earned, and a surplus created which, from present indications, will amount to at least \$300,000, possibly a great deal more.

It is hoped that, upon the completion of Sunnyside, the company's capital will be large enough to permit the immediate undertaking of a new development. Sunnyside will have absorbed at least \$2,500,000 of capital. This will come back to the company for re-investment over a period of years as the company's interest in first and second mortgages is paid off. In the meantime, however, additional capital will be needed to complete the Long Island City development, and to make further work possible. There is absolutely no limit to the amount of work that can be done—not only around New York city, but practically in every other community in the country.

#### FUNDAMENTALS OF LOW-COST HOUSING

Housing is a business in which there is limitless demand for a reasonably good product, a business, which for its efficient prosecution, requires large amounts of capital. To be most effectively carried on, large scale operations and continuous and reasonably rapid production are necessary. Land must be purchased in large unim-

proved tracts, buildings must be erected in large numbers on more or less standardized plans. The community, to be established, must be of sufficient size to create its own environment, and to result in substantial increment in land values. The development must be completed quickly enough to prevent this increment from being absorbed by the carrying charges on the vacant land.

The company's ultimate goal is the construction of a garden city along the lines of the English towns of Welwyn and Letchworth in which these requirements could be consolidated most effectively. When the City Housing Corporation has attained sufficient size it plans to undertake such a project and then it will utilize the knowledge and experience gained in the construction of the smaller, intermediate developments such as Sunnyside.

## HOOVER CONFERENCE SPURS LOCAL EFFORTS FOR TRAFFIC CONTROL AND FACILITATION

BY HAROLD S. BUTTENHEIM

*Editor, The American City Magazine*

*Important Recommendations of the Second National Conference  
on Street and Highway Safety. :: :: :: :: :: ::*

Not merely as a notable contribution to the nation-wide movement for greater safety and traffic capacity on our streets and highways, but as an outstanding example of federal leadership without governmental centralization, the Second National Conference on Street and Highway Safety, held in Washington March 23-25, 1926, was an event of unusual significance.

The magnitude of the problem facing the Conference and the relationship of the federal government to it were emphasized by its chairman, Secretary of Commerce Herbert Hoover, when he said in his opening and closing remarks:

"The purpose and problem of this conference is to devise and recommend measures which will reduce the traffic accidents in the country. With 23,900 persons killed and approximately 600,-

000 injured last year, the importance of this subject needs no emphasis. . . . This problem is not a problem to be solved by individual cities or even individual states, without regard to the conditions existing in other cities and other states. It is, after all, intellectually an interstate problem, yet one which must be solved materially and actually by the individual states acting in concert and not by the federal government or by some establishment set up by the federal government. . . .

"I have conceived this conference, and the conferences that will flow from it of this character, as perhaps a new step, or a part in a new step in the varied conception of government, not government from a central authority, but government by stimulation of the local community to its responsibilities



and the education of the local community to intelligent action. That seems to me to be far wiser, and a more nearly correct solution than the constant drive to centralize the government of the United States."

The willingness of the states and municipalities to work with the national authorities in a movement of this kind was made evident by the number and character of the groups who gathered for the three-day meeting in Washington. Among the attendance of nearly 1,000 were official delegations appointed by the governors of 43 states. Many municipalities were represented by such officials as mayors, city managers, directors of public safety, chiefs of police and fire departments, and heads of traffic bureaus. National and local organizations concerned with traffic safety and facilitation were also represented in large numbers. Directly co-operating with the United States department of commerce in organizing and financing the conference were the American Automobile Association, American Electric Railway Association, American Mutual Alliance, American Railway Association, Chamber of Commerce of the United States, National Association of Taxicab Owners, National Automobile Chamber of Commerce, National Bureau of Casualty and Surety Underwriters, National Research Council and National Safety Council. Serving as officials of the conference were Herbert Hoover, secretary of commerce, chairman; F. A. Delano, president, American Civic Association, Washington, D. C., vice-chairman; A. B. Barber, Chamber of Commerce of the United States, director; Ernest Greenwood, Washington, D. C., secretary; Julius H. Parmelee, director, Bureau of Railway Economics, treasurer; E. K. Kroman, Bureau of Railway Economics, assistant treas-

urer, and Sidney J. Williams, National Safety Council, consultant.

#### A SUGGESTED MODEL FOR A UNIFORM VEHICLE CODE

Perhaps the most important single action of the conference was the adoption, with amendments, of a suggested model for a Uniform Vehicle Code,<sup>1</sup> prepared by the Committee on Uniformity of Laws and Regulations. Of this committee the chairman was General Nathan William MacChesney, vice-president, American Bar Association, and former president, National Conference of Commissioners on Uniform State Laws. The secretary was A. P. Federline of the American Automobile Association; and the legislative draftsman was J. Allen Davis, associate council, Automobile Club of Southern California. With these men there served well-known lawyers, engineers, state and city officials and representatives of many groups affected by the traffic situation.

The suggested code consists of three model acts: (1) A Uniform Motor Vehicle Registration and Certificate of Title Act, (2) A Uniform Vehicle Operators' and Chauffeurs' License Act, and (3) A Uniform Act Regulating the Operation of Vehicles on Highways.

This code, with modifications embodied in an appendix to the final report of the conference, was endorsed by the conference and is recommended to the National Conference of Commissioners on Uniform State Laws and to the several state legislatures as the basis for uniform legislation on the subject.

Supplementary state and local legislation and regulations were also recommended by the conference as follows:

<sup>1</sup> The full text of this code is obtainable from the National Conference on Street and Highway Safety, Washington, D. C. From the same source can be secured the reports of the other committees and the final report of the conference itself.

"The Uniform Vehicle Code should be supplemented by state administrative regulations which should, as far as practicable, be developed on a uniform basis through co-operative action of the associations of officials concerned, particularly the state highway officials and motor vehicle commissioners, together with joint committees including other public officials and representatives of automobile clubs, scientific organizations and commercial and other bodies concerned.

"The Uniform Vehicle Code should further be supplemented by local traffic ordinances with regard to which progress toward uniformity should be sought through state or regional conferences of officials and other persons or organizations interested.

"Local traffic ordinances should also be supplemented by the necessary detailed rules and regulations to be established by local authorities, and uniformity in such regulations should be secured through the associations of officials concerned, with the co-operation of other persons and organizations interested."

#### ENFORCEMENT OF TRAFFIC LAWS AND REGULATIONS

Recognizing the importance and difficulty of effective enforcement of traffic laws and regulations, a special Committee on Enforcement had been appointed by Secretary Hoover, with William McAdoo, chief city magistrate of New York City, as chairman, and C. W. Stark, of the Chamber of Commerce of the United States, as secretary. In summarizing and endorsing the recommendations of this committee, the conference said in its final report:

"State laws should prescribe a uniform system of enforcement to be applied in part by the state courts and administrative machinery and in part

by the local authorities. The necessary special traffic control and traffic patrol police should be provided and the regular police should participate in traffic enforcement. Provision should be made for prompt and thorough collection of evidence and investigation of accidents; for special traffic courts or special traffic sessions of general courts, and traffic violations bureaus with a schedule of penalties for disposing of minor infractions, so as to give the courts more time to deal adequately with more serious cases; uniform permanent records of all convictions of traffic violations and traffic accidents, suspensions and revocations of operators' licenses, and refusals to grant licenses; and exchange of detailed information between jurisdictions as to suspensions and revocations of licenses and convictions for serious traffic offenses. Neither the traffic officers nor the court judges should receive any fees from the money collected from traffic convictions.

"The courts and the police through vigorous enforcement and even-handed treatment of offenders should instill in the public respect for the traffic laws and regulations.

"Public opinion in support of enforcement should be organized through a representative citizens committee in each locality, forming part of an organized effort of all elements in the community interested in street and highway accident reduction."

#### METROPOLITAN TRAFFIC FACILITIES

Although the primary purpose of the conference, as indicated by its name, was the promotion of street and highway *safety*, there was full recognition of the important service which the conference could render in stimulating more widespread and intelligent study of traffic *facilitation*. Study of this phase of the problem was the special



task of the Committee on Metropolitan Traffic Facilities, of which F. A. Delano, president of the American Civic Association, was chairman, and Norman C. Damon, of the National Automobile Chamber of Commerce, secretary. Like the other committees, it held numerous meetings during the months preceding the conference, and submitted a report of great value. As a result of this report, and of reports on allied subjects which had been submitted to the First National Conference on Street and Highway Safety in 1924, the 1926 conference embodied the following paragraphs in its final report:

"A comprehensive traffic improvement program, including urgent immediate items and long-time items, should be undertaken in every community of metropolitan area confronted with a traffic problem. In the preparation of such a program due consideration should be given to the relation of costs to benefits in safety and acceleration of traffic, and the program should be properly worked out and budgeted.

"The traffic improvement program should be based on a thorough traffic survey giving the necessary physical and traffic data and kept up to date, and due attention should be given to city and regional planning and zoning in their effect on traffic. The program should include:

"(a) A transit plan, covering facilities for the mass movement of population by vehicles of all classes, including rapid transit, steam railroad commuter service, street car lines, bus lines, private automobiles and other means.

"(b) A street and highway plan, providing for main thoroughfares, by-pass and interconnecting thoroughfares, secondary streets, business and industrial streets, and local residence streets, with any necessary enlargements and improvements required to carry the traffic with expedition and safety.

"(c) A traffic control plan, to provide for the orderly improvement of facilities and measures for the safe, efficient and complete utilization of street and highway capacity.

"A sound financial program should be established which will insure properly balanced progress in such improvements and will properly distribute the burden of providing the necessary fund.

#### TRAFFIC PLANNING ORGANIZATION

"To insure proper planning of traffic facilities and traffic control, to assure co-operation of the different departments of city or local governments concerned and to enlist public support, a traffic planning organization should be created in each city or metropolitan area as follows:

"(a) In each city there should be an official traffic commission, including such officials as the chief of police, city engineer, engineer of the city plan commission, chief of the fire department, a representative of the public authority supervising city transit and transportation, a member of the city council, and a representative of the city's legal department. This commission should be a permanent body having the services of an engineering staff, preferably in charge of a trained traffic engineer, and should prepare a comprehensive traffic plan, make and keep up to date a traffic survey, and recommend a traffic ordinance and regulations or recommend from time to time any necessary modifications in the existing ordinance and regulations.

"(b) It will also be of value to have a traffic committee not made up of officials but including representatives of street railway companies, motor bus companies, taxicab companies, trucking organizations, chambers of commerce, automobile clubs and associations, safety councils, merchants' associations and other interested groups. The traffic committee should serve in an

advisory capacity to the traffic commission and assist in securing the interest and support of various representative organizations and the public generally. If there is no traffic commission the traffic committee may temporarily carry out the functions of both bodies.

"(c) In the improvement of main highways leading to and from large centers of population it is frequently found that administrative jurisdiction over various sections of the road is divided among municipal, county, state and even national authorities. In such cases practical results in relieving traffic congestion will usually be obtained most quickly by voluntary co-operation between the authorities concerned through the creation of joint boards to consider and determine policies of location, construction, maintenance and use of the highways.

"(d) To provide unified consideration and treatment of traffic problems in metropolitan areas which include more than one city or a city and politically independent suburbs, it will generally be necessary to depend upon an enlargement of the unofficial traffic committee of the central city by adding proper representatives of important suburban communities, or, in the case of two large cities in a single metropolitan area, to form a joint traffic committee with representatives of suburban communities added. When developments warrant, an official metropolitan authority should be created to control physical growth and provide for proper traffic facilities within large population centers.

#### STREET AND HIGHWAY CONSTRUCTION

"In street and highway construction attention should be given to adequate roadway width with provisions for pedestrians, adequate rights of way to provide for parking space, for clear view of curves and intersections and for

future roadway widening; space for parking off the traveled portion of rural highways, either continuously or at intervals not exceeding 300 feet; reasonable grades of not more than six per cent where feasible on thoroughfares of primary importance; curves of not less than 300-foot radius on highways of primary importance; widening and banking of curves; avoidance of combinations of heavy grades and sharp curves; adequate curb radii and smooth grades at street intersections; cross-sections of the pavement or roadway as flat as drainage conditions will permit; guard railings of substantial type on the shoulder of embankments; clear view of approaching vehicles for at least 300 feet on highways of primary importance, provided by necessary control of private advertising signs on the right-of-way or upon private property near the highway and by the removing of trees, shrubs and sloping banks on or off the right of way at curves and intersections, and the cutting down of sharp hillcrests; bridges at least 22 feet wide, to enable two lines of traffic to pass without difficulty, and suitable provision for the safety of pedestrians on such bridges; careful selection and clear marking of detours and maintenance thereof in safe condition; maintenance in good condition of pavements and roadway shoulders; prompt snow removal from streets and highways of heavy traffic; proper signs, signals and highway surface markings on a uniform basis; and proper illumination of city streets, and of state highways wherever financially practicable.

#### PLAYGROUNDS AS SAFETY MEASURES

"Adequate playgrounds throughout the community should be provided, and particularly there should be available a playground for every school as a safety measure to keep the children off the streets. Schools and playgrounds



should, as far as practicable, be so located that children will not have to cross busy traffic streets in going to and from them. Adequate provision for skating and coasting, where practicable, should be made in parks and playgrounds, properly lighted and supervised, or on streets set apart, safely marked and traffic controlled during the hours used for these purposes.

#### ELIMINATION AND PROTECTION OF GRADE CROSSINGS

"Elimination of grade crossings, either by relocation of highways or rail lines or by grade separation, which constitutes the only perfect solution of the problem, should be carried on under a proper program, first eliminating the most dangerous crossings on thoroughfares carrying heavy traffic, and with due recognition of the enormous costs involved, which, if elimination were attempted on a wholesale scale, would impose an excessive financial burden resting in the last analysis upon the public. The program should have due regard to the relative costs and advantages of grade crossing elimination and other methods of protection, and should be given the most thorough joint consideration by proper authority. In laying out new highways or railroads, or relocating existing highways or railroads, grade crossings should be avoided or eliminated whenever feasible. In eliminating grade crossings, narrow or obstructed underpasses and sharp turns in the approaches thereto should be avoided. Authority to order grade separations or proper protection at grade crossings should be vested in the commission having jurisdiction over the railways, and this commission should also determine the proper division of costs between the railroads and the public. The state highway department or other highway authorities should plan

the improvement and initiate the proceedings for all highways under their jurisdiction. Time is an essential element and a prompt decision should be provided for in the law.

"Railroad crossings remaining at grade should be safeguarded in every reasonable way. Standard warning signs and pavement markings should be used to mark clearly the approaches to all public railroad crossings. Where the volume of traffic requires it, additional protection should be afforded by the use of flagmen, gates or approved electric or mechanical devices standardized as far as practicable. So far as possible a clear view along the track in both directions from both sides thereof should be maintained. The placing of railroad cars near unprotected grade crossings so that the view is thereby obstructed should be discouraged. Sharp curves, abrupt changes of grade, roughness in the pavement or other conditions at or near the tracks which tend to divert the attention of the motorist should be avoided. Properly designated state commissions should be empowered to designate dangerous grade crossings at which motorists must stop."

#### REPORTS OF OTHER COMMITTEES

The limits of this article do not permit of more than mere mention of the reports of the other three committees of the 1926 conference. These were: Committee on Causes of Accidents—Dr. Walter V. Bingham, director, Personnel Research Federation, New York City, chairman, and Dr. F. A. Moss, George Washington University, secretary. Committee on Statistics—W. M. Steuart, director, Bureau of the Census, chairman, and J. H. Parmelee, director, Bureau of Railway Economics, secretary. Committee on Public Relations—George M. Graham, vice-president, Chandler Motor Car Co.,

chairman, and Ernest Greenwood, secretary, Conference on Street and Highway Safety, secretary.

These and the reports previously mentioned will repay careful study of all official and civic bodies concerned with the traffic problem.

#### THE NEXT STEPS

There was full recognition by the conference that the preparation and adoption of committee reports is of little value unless made effective by a consistent campaign of education and organization. An important section of the final report was devoted to the subject of education in safety and accident prevention, and an interesting report of progress along the lines recommended by the 1924 Committee on Education was presented by A. W. Whitney, chairman of that committee.

On the subject of organization, the conference said, as the concluding paragraph of its report:

"As accident reduction and the improvement of street and highway traffic conditions are primarily a problem concerning the states and municipalities, state, regional and local conferences will in many cases furnish a valuable means for working out the application of the National Conference recommendations to the conditions in various sections of the country. In communities where safety organizations already exist, such conferences should furnish the means for stimulating their work; and in cases where no safety organizations exist, the formation of such organizations, of a type appropriate to the size and condition of the community, should be a logical outcome of state, regional or local conferences. Such conferences will afford opportunity for appropriate activity by the associations and groups undertaking to promote the adoption of various parts of the conference program."

## BRIEF REVIEW OF CITY AND REGIONAL PLANNING IN THE UNITED STATES, 1925<sup>1</sup>

BY THEODORA KIMBALL HUBBARD

*Hon. Librarian, American City Planning Institute*

*Mrs. Hubbard again contributes her annual review of city planning. ::*

THE year 1925 in city planning shows a solid gain. News is at hand from about four hundred and fifty cities and towns, a hundred more than for 1924, and two hundred more than for 1923. Of the sixty largest cities in the United States, only one (San Antonio) has not been heard from; and all the very largest, from Washington, D. C., up, have regional as well as municipal projects under way. Over a hundred of the four hundred and fifty

communities reported have a population of less than five thousand. Of the states, there are only four from which no city planning news was received. Another striking figure reported for 1925, from the division of building and housing of the department of commerce, reveals the number of people in

<sup>1</sup>Abridged from the fuller survey in *City Planning* for April, 1926, pp. 87-116, which also contains a list of Plan Reports for the year, pp. 145-151.

the country living in zoned municipalities as over twenty-seven million.

In addition to the American City Planning Institute, there are some thirty national organizations listed in the *American City's Municipal Index* for 1925 which are known to be actively interested in problems of town and regional planning. Among the leaders in 1925 were the National Conference on City Planning, National Association of Real Estate Boards, the Chamber of Commerce of the United States, the American Civic Association, the American Society of Civil Engineers, the National Housing Association, the National Municipal League, and the National Safety Council. The establishment of the quarterly *City Planning* in April, 1925, has created a new opportunity for the exchange of ideas and experience among those in the forefront of the work, whatever their professional or official viewpoint.

That city planning has become recognized as an absolute necessity appears from the staggering figures given for the economic losses caused by traffic congestion and traffic accidents, in large measure preventable or possible of correction. In the New York region \$1,000,000 per day is the estimated loss from traffic congestion; in Chicago, the newest figures place the losses as \$120,000,000 for the past year. Boston loses over \$6,000,000 annually in trucking costs alone. Traffic congestion costs Cincinnati \$100,000 per day and the typical smaller city of Worcester, \$35,000 per day. The actual cost of rectifying mistakes in the street system caused by poor subdividing in Des Moines is estimated at nearly \$2,000,000 in the last seven years.

#### INTERNATIONAL CONFERENCES

The success of the International Town Planning Conference in New

York in April,—the first held in this country—has been attested in the press both here and abroad. Many came, from Canada, Great Britain, Ireland, Australia, and New Zealand, Mexico, Argentina, and Peru, Sweden, Norway, Finland, Holland, France, and Switzerland, Germany and Austria, Poland, Czechoslovakia, Yugoslavia, Serbia, Bulgaria, Greece, and Turkey, China and Japan—over a hundred foreign representatives. Of our own states, thirty-four were represented by mayors, city officials, and delegates of planning commissions from several hundred cities and towns. The keynote of the conference was the need for regional planning and for better distribution of the population now crowded into great cities. This was the message of Mr. Ebenezer Howard and his English colleagues of the garden city movement. This was the real remedy agreed on for the appalling street traffic congestion reported from all over the country.

The Pan-American Conference on Capital Cities held in Washington under the auspices of the American Civic Association was another international event in which many foreign delegates participated, making it a point of departure for the tours which several groups made after the New York meetings. In the early summer, before the Third International Congress of Cities in Paris, its leading spirit, Senator Vinck of Belgium, made a visit to this country, which, it is hoped, may help toward the establishment of a real Center of Civic Documentation in Washington to co-operate with the International Union. A step forward in 1925 also may be recorded, as a direct result of the Paris Congress, where Mr. Stutz of Kansas, secretary of the International City Manager's Association, promised to translate and publish in full in the Association's



Monthly Magazine the important bibliography of civic affairs (including city planning) hitherto published only in French, known as the *Tablettes Documentaires*, and already known to readers of the *American City* in the interesting extracts prepared by Stephen Child, which will now be discontinued.

#### OUTSTANDING EVENTS

Every few years some great flood, fire, or earthquake fills us with horror, but not always does such a disaster as visited Santa Barbara find a city so well prepared for re-building. Shortly before the earthquake its major street and park plan had been adopted, zoning was already in operation, and the Community Arts Association had created strong interest in the preservation of local architectural individuality in the Spanish tradition. In Florida, too, Spanish architecture has been followed in the building of the many new resort towns springing up like magic along the shores. The whole sensational development of Florida is indeed one of the outstanding city planning events of 1925, to be more fully understood after the land boom aspects have cleared away.

Another southern state, Georgia, came to the front in 1925 in legislative preparation for many communities to follow the example of Atlanta. The state of Pennsylvania may again benefit by renewed activity on the part of the bureau of municipalities at Harrisburg after an unfortunate interim due to lack of appropriations. The establishment of the bureau of plans and surveys in Baltimore, an official city planning agency enlarging and continuing the well-known topographical survey work, is important, and encouraging as a basis for the ultimate victory of zoning in Maryland.

In New York state, the Niagara Frontier Planning Board created by the

1925 legislature began to function on July first, one of the most notable regional undertakings in the country. The Los Angeles city and county major street plan, recorded last year, reports \$32,000,000 of street openings and widenings already ordered or under way. Dallas sends news of good progress in carrying out features of the Kessler Plan. The success of the steps recently taken for protecting and extending the Plan of Washington depends now on congress.

The astonishing progress on the Chicago Plan, revealed in the plan commission's Fifteen-Year booklet, is a record that inspires the whole country. We shall hope soon for an estimate of the savings in food costs to the citizens of Chicago effected by the moving of the produce market and the facilitating of truck movements. Springfield, the state capital of Illinois, has this year produced and published an officially-adopted plan intended to preserve worthily the monuments of the Lincoln tradition. Cincinnati's official plan and the progress towards its realization are great achievements. Kenosha, a city of about the size set as ideal by many garden city proponents (50,000), comes to the front with first place for city planning in the Wisconsin Better Cities contest: it has a plan and it is carrying it out. St. Paul is fortunate in having an active city planning commission to make the readjustments caused by the coming to St. Paul of the \$10,000,000 Ford plant.

Camden (N. J.) received especial mention at the International Conference in New York for progress on its civic center, bridge plaza, and other projects, and this city is co-operating with Philadelphia and Wilmington in the Tri-State Regional Federation. On the other side of the continent, Seattle, said to have the first American regional plan (by Bogue, 1911), has

established in 1925 an official city planning commission, with the hearty support of the state chapter of the American Institute of Architects. Out in the Pacific, Honolulu reports a very active city plan commission and staff. New Orleans is encouraged by an appropriation of \$20,000,000 in the 1926 budget for the work of the city planning and zoning commission.

#### EDUCATIONAL WORK

The need for a brief readable statement of what city planning is and how it can be brought about has been met in 1925 by several interesting documents. The "City Planning Primer" by Professors Lommel and Bates of Purdue University, was prepared for the Indiana City Planning Association and contains excellent illustrations chosen to show Indiana conditions and proposals. To aid the League of Minnesota Municipalities in its educational campaign to secure proper enabling legislation, Mr. Herrold of the St. Paul city planning board wrote "A Monograph on City and Village Planning and Zoning," published by the League, which should appeal to local town officials and voters by its sensible statements and its appendix of favorable zoning experiences assembled by a questionnaire. The bulletin "City Planning Procedure for Iowa Municipalities," prepared by Mr. Wallis, secretary of the state association, has particular interest, because, by the enabling act approved in April 1925, every city and town in Iowa has the power to create a plan commission. Directed to a much younger audience is the school primer of Dallas Civics now in preparation, with the approval of the school board, for use in seventh grade classes, so that Dallas citizens may grow up with the Kessler Plan. An interesting sort of publicity is anticipated in Cincinnati when the prize

essay contest instituted in 1925 is adjudicated, the prizes being offered by the United City Planning Committee to students in the University of Cincinnati who will thus become more imbued with the official plan of Cincinnati.

The long-expected booklet on the usefulness of city planning, a companion to the Zoning Primer, prepared for the department of commerce by Secretary Hoover's Advisory Committee on City Planning, is shortly to appear, and should be helpful not only by itself, but also as a basis for the preparation of local primers such as the very interesting group just discussed. In the nature of a primer of village improvement is the Farmer's Bulletin, issued March, 1925, "Rural Planning: The Village" by Mr. Wayne C. Nason, which teaches by examples of well planned and improved small communities.

The educational campaign in Dallas, of which the civics primer just mentioned forms a part, has been carried forward during 1925 with great zeal and vigor, the Kessler Plan Association backing up in all stages the projects undertaken by the city plan commission. In Boston, more intelligent co-operation of the important groups directly affected by city planning enterprises has been secured for the city planning board through the Advisory Committee on City Planning appointed by the mayor along the lines of the very successful citizens' advisory committee which helped "put over" the Boston zoning ordinance. From Toledo, where a vigorous campaign was made in support of city plans intended to help the city compete with Detroit and Cleveland, comes an item: "Citizens who supported the civic improvement plan, which failed to receive the approval of voters at the recent election, are to continue the educational campaign"!

Newspapers in various parts of the country during 1925 have devoted much space to city planning, but not every paper has made it a front-page feature like the Rochester *Democrat-Chronicle*, which ran a long series under the title "City Planning: Rochester's next Important Task," to present "the most important subject confronting Rochester, now that the city manager form of government has been adopted." Long itself a leader in city planning, Rochester quotes Buffalo in the feature article at hand. And to Buffalo many cities may well turn for suggestions for effective publicity, since the work of the Buffalo City Plan Association and the newer Niagara Frontier Planning Association have been crowned with deserved success.

Any account of educational work for city planning in 1925 would be incomplete without mention of the great exhibition in connection with the show at the Grand Central Palace in New York last April, under the auspices of the American Institute of Architects, American City Planning Institute and other organizations, and the simultaneous special show at the headquarters of the International Town Planning Conference. Time scarcely permitted an adequate study of the very important contributions from the many foreign countries as well as our own. City planning exhibitions of note were held successfully in Pittsburgh, before New York, and in Philadelphia afterwards.

#### STATE ACTIVITIES

The New York state commission of housing and regional planning presented at the International Conference its remarkable beginnings of a plan for the state of New York, with an exhibition of the state survey material already prepared. The New York State Federation of Planning Boards held its first

meeting in New York at the same time. This state commission and its bureau have also done notable work in promoting regional planning in the state. The *Civic Improvement Items* of the Iowa Town Planning Association has appeared steadily, full of useful news. Several news sheets, two valuable bulletins on special subjects and an annual report have come from the Massachusetts division of housing and town planning and the Massachusetts Federation of Planning Board, among which the state field worker has been productively active, as witness the seventy-seven boards in operation. The Federation's twelfth annual meeting was held in Boston in October.

The Ohio State Conference on City Planning held its seventh annual meeting in Dayton also in October, an exceptionally successful conference. The Indiana City Planning Association held its third annual conference in Evansville in April, 1925, which was well attended. The principal work of the League of Minnesota Municipalities for city planning has been the securing of support for bills for city and village planning and zoning, which unfortunately, after passing the house of representatives, were killed in the senate. The campaign is being renewed, with good hope for 1927.

One bulletin of the Pennsylvania Association of Cities of the Third Class appeared in 1925, issued from the bureau of municipalities after Mr. Halde-man's return. City planning and zoning are active in Pennsylvania and the bureau is giving advice to secure operation on a sound basis and to avoid the adoption of unfortunate ordinances. The state of Pennsylvania in 1925 issued its Giant Power Report which included a state-wide survey of sources of electric power and of the market available for this when developed. The state of New Jersey is making a



study of its water supply to see what policy shall be most equitable in the apportionment of potable water. The work of the state highway commission in New Jersey and several other states is an important factor in broad planning.

The League of Kansas Municipalities helped to promote the passage of city planning and zoning enabling legislation for that state in 1925. The League maintains a staff available to assist cities and planning commissions desiring to initiate work under the new legislation. The Illinois Municipal League, which like the Kansas League publishes a monthly magazine, has given attention to city planning, particularly the new co-operative undertakings of the Chicago region. From a northern New England state, a section backward in city planning enterprise, comes news of an Institute of Municipal Affairs held in February, 1925, in Montpelier, Vermont, under the auspices of the Bureau of Research of Norwich University, at which the need of municipal planning was strongly emphasized.

#### REGIONAL AND METROPOLITAN PLANNING

In 1925, progress in regional planning organization is reported from Philadelphia, Chicago, Milwaukee, St. Paul-Minneapolis, Detroit, Pittsburgh, Boston, New York City, Albany, Buffalo, Los Angeles, and San Francisco besides counties in New York, New Jersey, Ohio and Pennsylvania, all of these having commissions or associations officially or voluntarily created.

The bill permitting the establishment of regional planning boards in New York state, signed in April 1925, has resulted in immediate activity on the part of the official Niagara Frontier Planning Board (including Niagara and Erie counties) which has already car-

ried through studies for the park development of the region. The Niagara Frontier Planning Association, organized in 1924, continues its work of securing publicity and support for the board it was instrumental in forming. The Capital District Planning Association comprising Albany, Schenectady, and Rensselaer counties, was organized early in 1925. The eleven districts created in New York state for the administration of parks and parkways include some existing county agencies in addition to some new boards.

The exhaustive surveys of the Regional Plan of New York and its Environs have continued, it now being nearly four years since the work was announced to the public. Valuable maps have been made available, legal aid effectively given, co-operation promoted among local authorities in the region, and a stimulus given to the formation of county, city, town and village planning organizations. The enormous numbers of facts collected are now being translated by the Regional Plan into a usable preliminary guide toward the solution of the most important physical problems, and this publication is expected during the coming summer. The pages of striking points printed in the front of the Economic Survey Monographs and of the monumental Traffic Study (which begins the Engineering Series) should stir municipal and county officials, as it has the Regional Plan, to press on toward meeting the increasing congestion with some creative plans.

Regional projects in New Jersey affiliate themselves with New York on the North and Philadelphia on the South, the Northern County Park Commission, North Jersey Transit Commission, Camden County Park Association, all being engaged on important public improvements.

In Massachusetts the metropolitan planning division has continued its study of main highways for the district and coincidentally, the city of Boston has made special studies of its future park system in relation to the metropolitan district as well as the city. In Wisconsin the Milwaukee county regional planning department recounts in its first annual report that it has devoted its initial efforts to the county parkway system, with regional planning and zoning next on the program. From St. Paul comes the news that the Metropolitan Planning Association is making some headway, and hopes that the sewage problem studies just being made public will help sell the regional idea of control to the St. Paul-Minneapolis neighborhood. In the St. Louis region, difficulties are constantly encountered from lack of control over development in the county outside the city limits. A constitutional amendment has been adopted and a metropolitan district is being considered.

The Regional Plan Association of San Francisco Bay Counties issued in September, 1925, a little preliminary report setting forth the most pressing problems of the region, and urging the establishment of a regional planning authority. It is stated that the major highways of the region are the most inadequate of any great metropolitan center in the whole country. San Francisco bay should be aided by the precedent of Los Angeles city and county and the splendid progress recorded on the major traffic street program there.

The Regional Planning Federation of the Philadelphia Tri-State District, growing out of the Committee on Regional Plan for the Philadelphia Metropolitan District, was formally launched in December, 1925, its work having been going on for over a year with hearty co-operation from state and

local authorities, especially in connection with the highway and traffic study. The Allegheny county planning authority, for the Pittsburgh metropolitan area, is actively at work. The Detroit metropolitan area not only records far-reaching additional studies and the acceptance on referendum of the master street plan, but can actually report the opening of the super-highway from Detroit to Pontiac.

The Chicago Regional Planning Association has a most creditable report to make for 1925: its organization has been completed and surveys begun of the various public works going on within a fifty mile radius. One of the principal achievements of the Association is the agreement entered into between the United States bureau on public roads, Illinois division of highways, Cook county department of highways, and the Chicago plan commission, that the system of highways now tentatively drawn up would not be departed from by any one of the four parties without submitting the change to the other three. Not every region is as fortunate as Chicago in having an outstanding plan commission which has blazed the way for such co-operation.

For the development of the metropolitan area around our national capital, the meeting in October had great significance, when Virginia's regional planning committee, appointed by the governor to represent Arlington and Fairfax counties and Alexandria, was invited and also a representation appointed by the governor of Maryland, full co-operation having been pledged by governors of both states in the federal district regional planning project.

#### ZONING

The figures from the department of commerce up to December 31, 1925, show that the total number of municipi-

palities zoned was 422, 86 being added in 1925. Only five states lack zoning enabling acts: Montana, New Mexico, South Dakota, Vermont, and West Virginia. Five states passed such legislation in 1925, bringing the total number of states which have followed the department's Standard Zoning Act up to nineteen, out of the forty-four having zoning enabling legislation. The immediate effect of court decisions on zoning activity appears from the fact that while Massachusetts records twenty-one ordinances passed in 1925 and New York thirteen, New Jersey has not a single one. Of the twenty largest cities in the United States there are only four without zoning ordinances,—Philadelphia, Detroit, Cleveland, and Newark. Of the twenty next largest, only three have not passed ordinances, and all of these are reported as preparing for zoning. Of the twenty cities next in size, nine lack ordinances, making forty-four with, and sixteen without, out of a total of the sixty big cities.

An important and instructive zoning campaign was carried on in Buffalo, crowned with success late in 1925. The Denver and Des Moines ordinances are also of particular interest.

Of the many other cities and towns which have passed zoning ordinances in 1925, Santa Barbara, Calif.; Jackson-

ville, Fla.; Duluth, Minn.; Topeka, Kan.; and Fargo, N. D., might be especially mentioned, while of those with studies in progress, Birmingham, Ala.; New Haven and Hartford, Conn. (in the latter an interim ordinance exists), Manchester, N. H.; Dayton, O.; and Harrisburg, Pa., are notable. States in which a considerable number of communities are reported as actively at work for zoning are Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Iowa, and Florida.

#### PLAN REPORTS

Exigencies of space prevent a discussion of the several interesting comprehensive plan reports—Cincinnati, O.; Worcester, Mass.; Springfield, Ill.; Wichita, Kan.; Kenosha, Wis.; New Brunswick, N. J.; El Paso, Tex.; Sarasota, Fla., and Asheville, N. C.—and of the numerous special reports on zoning highways and street traffic, transit and transportation, parks and recreation, which have been published during 1925; these being covered in the Annual Survey in the April 1926 issue of *City Planning*. Taken together these reports of 1925 form a most impressive group for the use of the student of city planning and for the city official who would compare pressing problems elsewhere with those of his own city.



# THE BONDED DEBT OF 210 CITIES

AS AT JANUARY 1, 1926

BY C. E. RIGHTOR

*Chief Accountant, Detroit Bureau of Governmental Research, Inc.*

*Mr. Rightor's careful analysis and tabulation of municipal debts is an annual feature of the Review.*    ::    ::    ::    ::    ::    ::

THE tabulation reports the total bonded indebtedness of 210 cities as at January 1, 1926, classified by the purposes of general public improvements, schools, and utilities; the sinking fund totals, and a percentage analysis by classes; the net bonded debt; the net bonded debt excluding self-supporting indebtedness, and the per capita debt for same. In the last column, the cities are ranked, within the five census groups, according to the net per capita debt excluding self-supporting.

At the suggestion of the last annual conference of the National Association of Comptrollers, the 1925 census estimates of population were used instead of the 1920 census as heretofore. This increased the number of cities over 30,000 population to 280 for United States, and 19 for Canada (upon similar 1925 population estimates). The effect of self-supporting indebtedness was taken into account in reporting the net debt. To conserve space, the sinking funds by purposes are reported by percentages rather than amounts. Otherwise, the table corresponds with prior ones published in the REVIEW.

## ALMOST 12 BILLIONS OF DEBT

Reliable estimates place the gross indebtedness of state and local governments at \$11,650,000,000 as at the beginning of this year. This amount includes special assessment debt and current loans. However, the tabula-

tion herewith ignores both of these forms of indebtedness, as also certain exemptions permitted by local legislation. Issues of municipal bonds including states during the year totaled \$1,400,000,000, of which the major portion was undoubtedly for cities. As retirements were not equal to issues, the debt is gradually increasing.

There is ample evidence in the detailed reports of the bureau of the census that, as cities increase in population, the per capita debt increases. Thus, the average per capita for Group I cities is higher than for the other groups, and so on. At the beginning of 1926, the city having the lowest debt, excluding Washington, which has no debt, is Bloomington, with a net per capita excluding self-supporting, of \$6.37; the highest is Atlantic City, with a net per capita of \$246.71. For the Canadian cities, the range is from Winnipeg with \$45.23, to Edmonton with \$295.07. Certain injustice must exist in these per capita figures in the case of cities having a fluctuating population, as Atlantic City, as well as for rapidly growing cities, as Norfolk and the cities in Florida and California.

In many cases, the sinking fund could not be easily separated by purposes. Atlanta reports a net debt excluding self-supporting with no deductions from the total net debt, because all ordinances provide tax levies for debt service. Of especial note is

the absence of school debt in Chicago, Los Angeles, Lansing, etc. The absence of sinking funds in many instances means that only serial bonds are permitted, as in Massachusetts and New York cities. Again, the sinking fund may be small because a substantial portion of the total debt is serial bonds, and perhaps in some cases because of an inadequate provision for the retirement of the debt.

#### TREND STILL UPWARD

Comparison with the figures of debt reported two years ago discloses a distinct upward trend in municipal indebtedness. As an example, of nine cities in Group I for which figures are reported in both 1924 and 1926, eight cities show an increase, and only one city a reduction, in the two-year period. The aggregate increase for all the cities was \$278,506,000. Eight cities increased an average of \$35,050,000 each; or, omitting New York city because of its unusual financial problems involving \$142,400,000 increase during the two-year period, the other seven cities averaged \$19,700,000 increase each in two years. Pittsburgh decreased its debt \$1,890,000 in the period.

Again, taking the Group IV cities, having 50,000 to 100,000 population,—as being more widely representative of our cities as a whole,—comparison for the same two years discloses that, of 43 cities reporting, 38 cities increased an average of \$1,611,000 each; and five cities decreased an average of \$669,000 each, during the two years.

Perhaps these tabulations do no more important thing than indicate this upward trend of local indebtedness, especially when nationwide publicity is urging for state and local governments the same reductions that are being reported for Federal taxes and debt. Analysis discloses that the cap-

ital outlays by local governments are for direct services which the taxpayer receives,—as schools, roads, playgrounds, hospitals, etc.,—while the concrete services rendered by the federal government to the taxpayer comprise but 20 per cent of the total expenditures, the balance being for interest on the public debt and war and post-war requirements.

#### QUESTIONS EACH CITY MUST ANSWER

The tabulation may be of value in calling attention to things which the citizen should know but which the table itself fails to indicate. It shows the total by purposes,—were they necessary public purposes? Were the bond maturities co-ordinate with the probable life of the improvements? Were they for self-supporting services? Were they voted by the people? Were the proceeds economically expended, and has the city ample assets back of the indebtedness?

Has provision been made for the retirement of the bonds? Are the sinking funds adequate at the present time? How far has the city gone in acquiring permanent improvements out of taxes—"pay as you go"—as against issuing bonds for them?

Should the city's debt include a statement of bonds authorized but not issued?

These are questions which cannot be answered in a mere statistical summary, and which each community must answer for itself. In this connection, however, it is believed that there will be a general interest in the Model Bond Law which is to be sponsored at an early date by the National Municipal League, setting forth the provisions which should govern the incurrence of debt by municipalities.

Questionnaires were sent to 280 cities of the United States and 19 cities in Canada.

## BONDED DEBT OF 210 CITIES AS AT JANUARY 1, 1926

COMPILED BY THE DETROIT BUREAU OF GOVERNMENTAL RESEARCH, INC.

From Data Furnished by Members of the Governmental Research Conference, City Officials, and Chambers of Commerce

City	Census July 1, 1925	General improvement bonds	Public school bonds	Public utility bonds	Total gross bonded debt	Sinking fund			Total net bonded debt	Per capita net debt exclud- ing self- supporting	Rank within group		
						Total	General improvement (per cent)	Public school (per cent)				Public utility (per cent)	
Group I													
Population, 500,000 and over													
1. New York City, N. Y. <sup>1</sup>	5,879,356	\$504,239,719		\$264,317,082	\$734,918,826	\$1,503,975,627	..	..	..	\$154.93	1		
2. Chicago, Ill. <sup>2</sup>	2,905,239	156,679,960		6,240,400	163,220,400	163,220,400	..	..	..	50.24	2		
3. Detroit, Mich. <sup>3</sup>	1,242,044	84,219,163		50,872,850	138,889,180	16,933,121	45	32	23	127,904,452	102.97	3	
4. Cleveland, O. <sup>4</sup>	1,125,000	41,116,113		92,628,056	133,642,213	10,116,284	24	13	76	123,099,451	89,634,374	98.71	10
5. St. Louis, Mo. <sup>5</sup>	936,485	79,554,377		37,493,854	147,913,231	23,818,780	74	13	19	90,388,559	24,200	11	
6. St. Paul, Minn. <sup>6</sup>	821,543	28,256,000		6,053,000	36,586,000	10,848,441	64	17	19	90,238,521	53,882,153	69.11	7
7. Boston, Mass. <sup>7</sup>	779,620	75,120,701		44,725,700	134,712,201	14,427,756	65	30	5	54,065,063	45,517,363	73.65	6
8. Philadelphia, Pa. <sup>8</sup>	681,663	32,678,000		7,753,000	75,333,000	2,521,600	41	15	44	73,920,800	70,330,800	126.14	2
9. Pittsburgh, Pa. <sup>9</sup>	557,530	22,002,400		10,839,000	79,322,400	2,521,600	41	15	44	63,114,982	50,310,628	93.51	5
10. San Francisco, Calif. <sup>10</sup>	558,016	31,026,567		1,770,553	68,615,420	5,500,438	46	..	54	63,974,550	33,869,550	66.51	8
11. Buffalo, N. Y. <sup>11</sup>	513,994	28,279,050		8,204,750	36,603,800	2,629,250	76	23	1	..	..	..	..
12. Milwaukee, Wis. <sup>12</sup>	509,192	28,279,050		8,204,750	36,603,800	2,629,250	76	23	1	..	..	..	..
Group II													
Population, 400,000 to 500,000													
13. Newark, N. J. <sup>13</sup>	452,513	\$33,419,000		\$15,568,200	\$63,154,200	\$11,680,224	53	23	19	\$37,473,976	\$39,473,854	\$37.23	5
14. Minneapolis, Minn. <sup>14</sup>	425,433	23,625,064		1,785,000	43,885,734	4,957,957	..	..	..	37,138,777	37,138,777	87.29	4
15. New Orleans, La. <sup>15</sup>	414,592	18,500,000		1,785,000	39,330,000	..	..	..	..	39,330,000	39,330,000	94.98	8
16. Seattle, Wash. <sup>16</sup>	411,578	18,268,500		8,967,000	61,440,000	..	..	..	..	60,705,414	25,520,446	64.35	1
17. Cincinnati, O. <sup>17</sup>	409,333	54,782,510		11,326,000	109,005,740	30,184,676	61	7	32	78,821,064	51,934,995	109.86	2
18. Kansas City, Mo. <sup>18</sup>	367,481	28,685,000		10,460,000	44,545,000	7,846,009	61	23	..	24,628,877	24,638,877	68.63	7
19. Indianapolis, Ind. <sup>19</sup>	358,819	14,553,770		10,946,820	25,500,590	2,540,590	26	13	58	30,687,227	22,135,530	60.87	6
20. Rochester, N. Y. <sup>20</sup>	316,786	14,396,700		9,937,600	35,363,300	4,674,713	29	13	58	30,687,227	22,135,530	60.87	6
21. Louisville, Ky. <sup>21</sup>	305,935	15,371,500		1,966,400	15,416,360	2,954,230	82	7	11	15,462,670	14,709,426	48.08	9
Group III													
Population, 300,000 to 400,000													
22. Toledo, O. <sup>22</sup>	287,330	\$22,783,349		\$12,158,000	\$36,880,349	\$5,496,072	91	..	8	\$21,384,977	\$29,931,053	\$104.15	7
23. Portland, Ore. <sup>23</sup>	282,383	22,202,174		10,212,025	33,586,000	4,057,637	48	..	52	29,688,239	29,688,239	90.90	13
24. Denver, Colo. <sup>24</sup>	280,911	760,000		9,554,000	32,963,100	1,239,955	58	24	14	32,723,155	11,153,456	39.81	44
25. Columbus, O. <sup>25</sup>	279,836	18,712,366		10,212,000	26,176,589	13,125,411	100	..	13	26,815,589	20,176,589	72.10	47
26. Providence, R. I. <sup>26</sup>	267,918	15,260,000		6,200,000	22,800,000	2,712,219	91	..	9	24,412,589	8,334,589	31.11	47
27. Houston, Tex. <sup>27</sup>	252,976	12,750,000		7,282,000	22,800,000	3,232,027	71	..	29	21,085,781	19,807,029	75.30	16
28. St. Paul, Minn. <sup>28</sup>	224,500	4,482,000		2,919,000	11,330,000	2,374,466	67	..	25	25,159,973	18,815,107	78.48	17
29. Omaha, Neb. <sup>29</sup>	211,768	12,775,480		9,896,000	34,061,480	4,478,835	13	19	68	8,955,534	8,965,534	30.82	48
30. Birmingham, Ala. <sup>30</sup>	205,670	6,442,500		6,331,000	13,128,500	561,681	57	..	1	29,382,645	13,301,869	160.95	31
31. San Antonio, Texas. <sup>31</sup>	198,069	11,705,500		3,652,500	22,271,000	980,008	44	32	..	21,310,992	14,404,739	72.73	19
32. Worcester, Mass. <sup>32</sup>	190,757	8,445,500		1,856,500	2,962,700	7,139,424	54	..	46	26,735,766	20,405,440	38.32	45
33. Richmond, Va. <sup>33</sup>	182,003	22,892,153		4,835,300	32,667,130	4,121,552	96	10	13	16,108,556	12,247,181	67.29	23
34. Syracuse, N. Y. <sup>34</sup>	152,003	7,394,123		6,362,958	13,340,108	1,231,552	77	..	..	16,108,556	12,247,181	67.29	23





## BONDED DEBT OF 210 CITIES AS AT JANUARY 1, 1926—Continued

City	Census July 1, 1925	General improvement bonds	Public School bonds	Public utility bonds	Total gross bonded debt	Sinking fund			Total net bonded debt	Net debt, excluding self- supporting	Per capita net debt, ex- cluding self- supporting	Rank within group
						Total	General improvement (per cent)	Public school (per cent)				
Group IV—Continued												
Population, 50,000 to 100,000												
108. Highland Park, Mich.	72,289	2,875,491	4,542,000	1,354,626	8,772,117	2,476,152	30	45	25	5,556,264	76.86	16
109. Birmingham, Ala.	72,260	3,810,200	5,247,000	3,387,720	12,445,920	3,387,720	100	..	..	9,251,200	128.02	7
110. Birmingham, N. Y.	71,915	3,135,250	2,883,450	100,000	6,118,700	205,615	100	..	..	5,913,085	80.83	14
111. Johnston, Pa.	71,475	4,295,500	3,623,000	1,076,990	7,924,500	1,076,990	45	55	100	6,847,510	95.80	12
112. Lansing, Mich.	70,753	2,153,700	5,403,100	5,403,100	7,656,800	354,792	..	..	..	7,302,008	100.43	49
113. Johnston, N. C.	69,051	4,420,268	1,721,000	1,685,336	7,827,604	303,096	53	17	..	7,524,508	100.33	43
119. Wustons-Salem, N. C.	68,021	1,968,799	1,652,492	1,652,492	5,273,783	1,652,492	53	17	..	3,621,291	55.11	40
121. Springfield, O.	68,725	1,968,799	2,065,000	2,065,000	6,098,799	1,114,450	64	56	..	4,984,349	71.63	44
122. Chester, Pa.	68,166	7,219,671	3,737,635	354,000	11,311,106	1,455,486	24	32	..	9,855,820	278.05	40
123. New Britain, Conn.	68,039	1,864,000	2,781,000	1,215,000	6,211,000	545,109	24	20	50	5,672,891	140.13	5
127. Berkeley, Calif.	66,209	565,655	2,690,000	707,000	3,255,655	..	..	..	..	3,255,655	49.18	33
128. Altona, Pa.	66,148	1,146,000	2,200,000	1,200,000	4,552,000	329,409	86	..	..	4,222,591	38.24	46
129. Mobile, Ala.	65,955	2,255,000	700,000	1,323,500	4,275,500	816,350	78	22	..	3,459,150	38.24	45
130. Brockton, Mass.	65,343	1,995,900	865,500	1,551,800	4,417,200	565,628	..	..	100	3,851,572	40.45	42
131. Springfield, Ill.	63,923	4,170,000	3,147,000	1,551,800	8,868,800	..	..	..	100	7,317,000	100.00	53
132. Cincinnati, Ohio	63,860	4,170,000	3,147,000	1,551,800	8,868,800	..	..	..	100	7,317,000	100.00	53
133. Haverhill, Mass.	60,335	2,389,000	3,341,500	300,000	6,030,500	412,000	..	..	100	5,618,500	20.65	21
134. Quincy, Mass.	60,055	1,908,000	1,241,000	286,000	3,435,000	489,896	..	..	100	3,345,104	61.62	41
139. Wheeling, W. Va.	59,067	1,923,700	2,000,000	296,000	3,923,700	357,860	73	..	27	3,565,840	52.43	30
140. East Orange, N. J.	59,029	1,958,000	1,048,400	2,000,000	5,006,400	1,279,815	21	26	..	3,726,585	27.74	50
141. Portsmouth, Va.	58,997	4,967,700	1,048,400	3,150,000	9,166,100	805,518	25	..	75	8,360,582	54.11	27
142. Fresno, Calif.	58,455	1,728,500	2,480,000	640,000	2,093,000	164,750	100	..	..	3,208,500	52.99	29
144. Macon, Ga.	58,237	1,423,000	..	..	2,093,000	164,750	100	..	..	1,928,250	54.86	26
145. Roanoke, Va.	58,208	6,166,000	..	..	6,166,000	616,000	100	..	..	5,550,000	22.13	51
146. Wichita Falls, Texas	58,026	2,018,000	1,827,000	992,000	4,837,000	545,280	100	39	..	4,291,720	96.56	11
147. Jackson, Mich.	57,972	2,108,229	2,104,000	1,276,720	5,488,949	278,482	100	..	..	5,210,467	37.91	17
148. Shreveport, La.	57,857	2,108,500	1,017,375	1,017,375	4,135,250	278,482	100	..	..	3,856,768	37.91	17
149. Shreveport, N. Y.	57,023	4,704,449	2,433,000	1,857,630	8,995,079	231,117	74	..	28	8,763,962	41.03	20
150. Lakewood, O.	56,774	4,963,916	4,446,000	1,571,399	11,071,399	37,902	100	..	..	9,597,497	35.80	46
151. Pasadena, Calif.	56,732	3,962,235	4,420,000	2,548,315	9,612,916	728,275	100	..	..	11,070,399	161.53	3
152. Pasadena, Calif.	56,732	3,962,235	4,420,000	2,548,315	9,612,916	728,275	100	..	..	11,070,399	161.53	3
153. Topeka, Kan.	55,411	569,488	400,000	2,714,000	10,740,550	589,134	74	9	23	10,158,416	156.53	4
154. Topeka, Kan.	55,411	569,488	400,000	2,714,000	10,740,550	589,134	74	9	23	10,158,416	156.53	4
155. Kalamazoo, Mich.	53,859	1,719,499	1,055,000	93,150	2,868,649	183,756	54	..	37	2,684,893	14.06	56
158. Atlantic City, N. J.	53,287	11,817,450	3,925,000	2,714,000	18,456,450	19,990	100	56	..	16,541,460	470.668	56
160. Davenport, Ia.	52,469	1,674,500	1,205,000	..	2,879,500	364,641	62	11	..	2,514,859	18.02	54
161. Malden, Mass.	51,789	1,760,000	843,600	126,000	2,833,500	113,886	37	63	27	2,720,614	246.71	1
162. Kenosha, Wis.	50,615	3,352,846	1,225,250	386,000	5,000,000	327,085	94	..	6	4,672,915	52.78	28
163. Beaumont, Texas	50,615	3,352,846	1,225,250	386,000	5,000,000	327,085	94	..	6	4,672,915	52.78	28
165. Cedar Rapids, Ia.	50,332	7,098,650	2,555,000	416,000	10,000,000	864,311	59	23	18	9,185,689	495.593	15
167. Acute Vermont	50,332	7,098,650	2,555,000	2,093,000	11,746,650	864,311	59	23	18	10,882,339	495.593	15
168. New Castle, Pa.	49,842	\$1,117,000	\$1,560,000	..	\$2,677,000	\$167,998	100	..	..	\$2,509,002	\$50.35	35
Group V												
Population, 50,000 to 60,000												
168. New Castle, Pa.	49,842	\$1,117,000	\$1,560,000	..	\$2,677,000	\$167,998	100	..	..	\$2,509,002	\$50.35	35





## BONDED DEBT OF 210 CITIES AS AT JANUARY 1, 1926—Continued

City	Census July 1, 1925	General improvement bonds	Public School bonds	Public utility bonds	Total gross bonded debt	Sinking fund				Total net bonded debt	Net debt, excluding self- supporting	Per capita net debt exclud- ing self- supporting	Rank within group
						Total	General improvement (per cent)	Public school (per cent)	Public utility (per cent)				
GROUP V.—Continued													
253. Revere, Mass.	33,261	1,024,722	1,060,320	201,875	2,286,917	.....	..	..	..	2,286,917	2,055,042	62.69	22
254. Oskosh, Wis.	33,217	478,000	572,000	570,000	1,620,000	.....	..	..	..	1,620,000	1,050,000	31.61	57
255. Watertown, N. Y.	32,856	1,848,335	765,500	943,500	2,557,335	158,450	35	40	25	2,404,385	1,490,979	45.68	42
256. Muskogee, Okla.	31,769	1,854,154	1,255,000	1,020,000	4,129,154	1,842,447	70	..	30	2,286,707	1,811,084	55.71	31
257. Watertown, N. Y.	31,876	303,270	639,473	130,257	1,073,000	.....	..	..	..	1,073,000	942,743	29.57	53
258. Plainfield, N. J.	31,748	2,788,500	1,385,000	..	4,173,500	165,429	..	..	..	4,005,071	4,005,071	126.15	2
259. Port Arthur, Texas	31,513	1,611,300	1,300,000	1,418,000	4,329,300	510,122	31	35	34	3,813,178	2,573,997	81.61	9
260. Hagerstown, Md.	31,337	2,378,000	..	1,425,000	3,803,000	.....	..	..	..	3,803,000	2,378,000	75.84	13
261. Middletown, O.	30,823	809,712	..	237,500	1,047,212	33,110	100	..	..	1,014,102	775,602	25.20	63
262. Richmond, Ind.	30,495	145,000	647,000	..	792,000	5,235	100	..	..	786,765	786,765	25.80	61
271. Newark, O.	30,461	406,000	418,400	433,000	1,307,400	1,805,519	41	6	53	1,126,881	1,126,881	36.99	48
272. Bloomington, Ill.	30,421	225,000	160,000	149,000	534,000	158,506	20	..	80	2,220,494	193,750	6.37	72
273. Newburgh, N. Y.	30,419	632,000	764,000	588,000	1,984,000	613,000	..	..	..	1,371,000	783,000	25.74	62
274. Newburgh, N. Y.	30,419	449,987	268,720	805,231	1,523,948	167,094	100	..	..	1,356,854	551,623	18.13	67
275. Newburgh, N. Y.	30,419	449,987	268,720	805,231	1,523,948	167,094	100	..	..	1,356,854	551,623	18.13	67
276. Clarksville, Va.	30,402	462,500	..	412,400	874,900	60,015	..	..	..	804,885	380,578	12.51	69
277. Lynchburg, Va.	30,335	1,530,800	898,000	1,603,000	3,032,800	1,601,433	78	8	22	1,804,854	551,623	18.13	67
278. Lynchburg, Va.	30,335	1,530,800	898,000	1,603,000	3,032,800	1,601,433	78	8	22	1,804,854	551,623	18.13	67
279. Rome, N. Y.	30,328	558,500	817,000	1,603,000	2,978,500	1,621,470	..	..	100	1,576,530	1,121,000	36.96	49
280. Sioux Falls, S. D.	30,127	558,500	1,382,000	447,500	2,491,000	600,071	26	54	20	1,755,929	1,462,545	48.50	37

City	Census July 1, 1925	General improvement bonds	Public School bonds	Public utility bonds	Total gross bonded debt	Sinking fund			Total net bonded debt	Net debt, excluding self- supporting	Per capita net debt exclud- ing self- supporting	Rank within group
						General improvement (per cent)	Public school (per cent)	Public utility (per cent)				
CANADIAN CITIES												
1. Montreal, Que. <sup>a</sup>	864,527	\$96,542,078	\$20,995,157	\$29,995,014	\$156,832,249	83	17	..	\$143,187,805	\$113,192,791	\$30.93	8
2. Toronto, Ont. <sup>a</sup>	549,429	41,882,735	22,933,168	99,135,892	163,951,795	40	15	45	139,415,159	51,417,742	43.58	10
3. Winnipeg, Man. <sup>a</sup>	285,000	9,712,258	9,025,000	25,057,929	43,795,187	35	19	46	32,979,525	12,893,234	45.23	12
4. Vancouver, B. C.	126,747	19,855,942	4,486,900	6,499,351	30,843,193	70	28	18	22,364,632	17,886,366	137.17	5
5. Quebec, Que.	123,400	18,258,940	3,922,500	113,000	22,294,140	72	28	..	20,976,891	20,976,891	170.00	2
6. Ottawa, Ont. <sup>a</sup>	118,697	15,009,281	4,017,866	4,988,268	23,992,413	64	14	22	18,522,656	14,760,856	124.35	9
7. Edmonton, Alta. <sup>a</sup>	65,378	3,892,207	1,178,153	34,104,473	36,094,833	36	4	60	28,445,240	19,241,959	285.07	1
8. Victoria, B. C.	62,595	1,854,663	1,384,000	4,082,810	15,885,622	53	28	19	13,824,919	10,115,032	192.08	4
9. St. John, N. B. <sup>a</sup>	60,252	2,490,293	3,075,500	4,979,663	10,545,658	40	60	..	11,092,954	7,907,093	166.00	16
10. St. John's, N. S. <sup>a</sup>	56,433	2,900,595	3,075,500	4,979,663	11,203,885	40	60	..	11,092,954	7,907,093	134.80	7
11. Saskatoon, Sask. <sup>a</sup>	35,098	4,215,212	1,922,140	3,212,963	9,350,315	56	7	37	7,016,882	4,653,424	132.58	7
12. Vancouver, B. C.	32,182	513,569	1,022,644	1,013,050	7,175,263	72	14	14	6,258,261	5,374,463	167.00	3

NOTES. The cities are arranged in order of population according to the 1925 (July 1st) estimates by the Bureau of Census, with exceptions noted by that Bureau. Population of Canadian cities is also as estimated for 1925. Missing numbers are of cities not furnishing data.

- <sup>1</sup> *New York City*. Debt includes corporate stock notes, utility bonds, in addition to water, include rapid transit, \$302,765,874, and docks and ferries, \$154,222,424; sinking funds are not separated because there are seven sinking funds, some for general purposes, and analyzed with light bonds.
- <sup>2</sup> *Chicago*. Does not include county or forest preserve district (county) bonds, \$23,590,000. On January 1, 1926, 91 per cent of taxable values of the county are within the city of Chicago.
- <sup>3</sup> *Detroit*. Utility bonds include street railway, \$23,551,000, and lighting, \$5,940,000; in addition, there is a street railway sinking fund of \$18,380,000.
- <sup>4</sup> *Los Angeles*. Census is local estimate; debt figures are for February 28; general bonds include municipal improvement districts, \$8,953,000; utility bonds include light and power, \$22,150,000, and harbor, \$21,000,500.
- <sup>5</sup> *Cleveland*. Utility bonds include light and power, \$7,619,700.
- <sup>6</sup> *St. Louis*. Net debt excluding self-supporting is estimated, utility sinking fund not being reported separately.
- <sup>7</sup> *Boston*. Utility bonds include rapid transit, \$43,685,700.
- <sup>8</sup> *San Francisco*. General bonds include 1915 Exposition, \$2,800,000; utility bonds include street railway, \$3,500,000.
- <sup>9</sup> *New Orleans*. Utility bonds include light and power, \$59,000, and other, \$125,000; sinking funds not separated by purposes.
- <sup>10</sup> *Seattle*. General bonds include rapid transit, \$16,000,000, and street railway, \$16,484,000, and street railway, \$13,524,500.
- <sup>11</sup> *Cincinnati*. Utility bonds include commercial waterworks, \$16,940,000, and street railway, \$16,940,000.
- <sup>12</sup> *St. Paul*. Utility bonds include light and power, \$16,940,000, and street railway, \$16,940,000.
- <sup>13</sup> *Cincinnati*. The sinking fund owns the entire capital stock of the Louisville Water Company, par value \$1,832,000; the sinking fund also owns the city from the latter excess debt charges.
- <sup>14</sup> *Louisville*. General bonds include docks, \$9,420,000, and city's portion (94.6 per cent) of port, \$5,618,174; school bonds and sinking fund are 98.1 per cent of total, based on city's portion of school district valuation; utility bonds include golf, \$95,000.
- <sup>15</sup> *Denver*. Bonds of Moffat Tunnel District, \$9,220,000, an independent unit including the city, are omitted.
- <sup>16</sup> *Columbus*. Utility bonds include light and power, \$1,915,000.
- <sup>17</sup> *San Diego*. Utility bonds include gas, \$4,500,000.
- <sup>18</sup> *San Francisco*. Utility bonds include light and power, \$500,000, and gas, \$3,482,500.
- <sup>19</sup> *Springfield*. No sinking fund. Formerly, utility bonds include light and power, \$500,000, and gas, \$3,482,500.
- <sup>20</sup> *Norfolk*. Utility bonds include dock and terminal, \$6,423,948.
- <sup>21</sup> *Norfolk*. Utility bonds include dock and terminal, \$6,423,948.
- <sup>22</sup> *Tacoma*. Utility bonds include light and power, \$4,165,500, and street railway, \$348,000.
- <sup>23</sup> *Lynn, Knazsville*. General bonds and sinking fund include schools.
- <sup>24</sup> *Tampa, Wheeling, Macon, Roanoke, Shreveport, Kalamazoo, Haverhill, Stockton, Colorado Springs, Clarkburg*. School debt not reported.
- <sup>25</sup> *Long Beach*. Utility bonds include gas, \$3,000,000.
- <sup>26</sup> *San Francisco*. Utility bonds include light and power, \$4,043,100.
- <sup>27</sup> *San Francisco*. General bonds include city's share of temporary improvement notes, \$3,295,948.
- <sup>28</sup> *Golden*. Utility bonds include gas and electric, \$1,270,000, and Holyoke and Western Railroad, \$187,000; sinking fund includes railroad stock at par, \$229,500.
- <sup>29</sup> *Portland*. Utility bonds include light and power, \$1,350,000.
- <sup>30</sup> *Montreal*. Utility bonds include light and power, \$1,350,000.
- <sup>31</sup> *Montreal*. Utility bonds include light and power, \$1,350,000.
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- <sup>99</sup> *Montreal*. Utility bonds include light and power, \$1,350,000.
- <sup>100</sup> *Montreal*. Utility bonds include light and power, \$1,350,000.

## RECENT BOOKS REVIEWED

LOCAL GOVERNMENT IN MANY LANDS. By S. Montagu Harris. London: P. S. King & Sons., Ltd., 1926. P. 329.

Data on the framework of local government in 33 countries (Western Europe, the five Dominions, Japan and the United States) as collected since 1923 for the Royal Commission headed by Lord Onslow. There is very little on politics or the electorate or on operating conditions but in 17 chapters and only 329 pages the author has condensed a huge amount of up-to-date information for those interested in local institutionalism. A conspectus-index refers to fifty odd main topics under the 33 regions cited and "general". There are also three pages of cross references. Subject to the usual limitations in fact massing this book seems useful.

W. L. WHITTLESEY.

Princeton University.



THE BUREAU OF THE MINT—SERVICE MONOGRAPHS OF THE UNITED STATES GOVERNMENT, No. 37, Institute for Government Research. By Jesse P. Watson

THE OFFICE OF THE COMPTROLLER OF THE CURRENCY—SERVICE MONOGRAPHS OF THE UNITED STATES GOVERNMENT, No. 38. Institute of Government Research. By John Gilbert Heinberg.

These are the two most recent additions to the service monographs of the United States government prepared by the Institute of Government Research and published by the Johns Hopkins Press. The series is so well known, and the plan of presentation so rigidly uniform, that little can be said about these two volumes.

The historical statement which precedes each monograph offers the only opportunity for variation. Both of these services reach back into our early history and mirror in a measure the keen economic struggles through which our monetary system has passed.

The student of government will file these reports away with the others and hope that it will not be many years before the I. G. R. is ready to build upon the foundation of these factual reports.

LUTHER GULICK.

OUR POLICE GUARDIANS. By Officer "787" (John J. Hickey, retired, New York). Published by the Author. 1925.

This book is chiefly valuable as a human document. It is a history, or perhaps it would be more accurate to say an account, of the New York police department and force by one of the rank and file. It does not pretend to be critical or constructive. It is a highly appreciative tale of the personnel and achievements of those upon whom New York and its great visiting and floating population depends for protection. Here are no theories of organization, or of reform, but a fairly vivid description of his fellow workers and their predecessors, by one who not only was proud of his uniform, but always sought to make himself worthy of it. There is considerable detail and illustrations and several chapters devoted to the travels of the author which may not particularly interest the student of police affairs but the reminiscences and comments, not only afford interesting, but illuminating reading.



REPORT OF THE ADVISORY COMMITTEE TO THE COMMON COUNCIL OF THE CITY OF DETROIT ON CARRYING OUT THE MASTER PLAN. 1925. P. 40.

In these days when all cities are making more or less heroic efforts to relieve traffic congestion and provide for traffic needs of the future, probably no city has embarked upon a more ambitious program than has Detroit. In April of 1925 the common council adopted a so-called Master Plan of major thoroughfares within the city in connection with superhighways and intermediate roads outside of the city. At the same time that the council adopted this plan it appointed an Advisory Committee to consider ways and means of carrying it out and to submit definite recommendations on the procedure for putting it into effect.

The report is brief and concise and its recommendations are excellently illustrated by a series of maps and diagrams.

The Master Plan involves the creation of a comprehensive system of thoroughfares of three standard widths (204 feet superhighways, 120



and 86 foot major thoroughfares) throughout the area embraced within a fifteen mile radius of the Detroit city hall. Coordinated action by state, county, city and village is required.

The first consideration of the Advisory Committee, therefore, was a survey of the extent of the powers of the several authorities concerned. The report enumerates concisely present powers and needed improvements for such important considerations as declaration of necessity, immediate entry and possession, excess condemnation, setback building lines and the fixing of street lines upon the city plan for control of newly platted land.

A general financial program is outlined which provides for the gradual accomplishment of the various projects of the plan without undue hardship at any stage of the work. This program besides recommending a method of dividing the costs and of providing funds for the city's share of the costs, also recommends the order in which the various projects of the plan should be undertaken—the accomplishments to proceed in proper sequence according to traffic needs and as rapidly as funds become available. The relative importance of specific projects is discussed and a summary of the recommended program concludes the report.

One month after the first edition of the committee report was published a number of the chief recommendations of the committee were presented to the electors for approval at a general election. These propositions included several charter amendments and authorization for carrying out a number of definite proposals of the committee. Every proposition was passed by an overwhelming vote. A list of the questions submitted on the ballot together with the vote on each appears as a preface to the second edition of the committee report.

The report is a valuable contribution to an exceedingly important phase of regional planning.

HARLAND BARTHOLOMEW.

DEMOCRACY AND REPRESENTATION. By William Seal Carpenter. Princeton: Princeton University Press. 1925. P. 113.

This little volume deals with the foundations of democracy and with the modern exemplification of the democratic dogma in forms of representa-

tive government. The author begins by demonstrating that theories of popular sovereignty and of the right of revolution did not have their origin on this side of the Atlantic. The signers of the Declaration gave the world little that was new. But the framers of the constitution, eleven years later, had to reconcile the philosophy of natural rights with the exigencies of practical politics. They had a hard time doing it. Quotations from the speeches of Madison, Hamilton and Wilson are given to show how they envisaged different aspects of this problem. In the end Madison's ideal of dynamic equilibrium gained acceptance in the constitution, and has provided this document with its remarkable flexibility. Dr. Carpenter does not believe, as is commonly asserted, that the Constitution embodies a reaction from the liberal spirit of the Declaration, but that it enabled the latter gradually to permeate the whole American political system.

Passing from first principles, the book discusses the workings of democracy through the representative system. The principle of checks and balances is set in a somewhat new light, and there is an interesting consideration of the way in which the executive is gradually supplanting the legislature as the true reflection of popular sentiment. This division of representation, Dr. Carpenter believes, is fraught with danger, but for the present seems inevitable because political leadership cannot be provided in any other way under our system of government.

Finally, there is a good chapter on the forms of government. The author makes the novel suggestion that members of the senate should be chosen by six regions or sections of the country (i. e. New England, the Middle Atlantic states, the Old Northwest, etc.) and that representation be apportioned to these sections on a basis of population. He believes, moreover, that these regions would afford a basis for the decentralization of national administration, if they could be properly organized.

All in all, Professor Carpenter has given us a stimulating and well-written volume, one that combines political theory with the analysis of political practice. It is worthy to be read by every thoughtful student of American politics.

WILLIAM BENNETT MUNRO.

Harvard University.

NEWSPAPERS IN COMMUNITY SERVICE. By Norman J. Radder. New York: McGraw Hill & Company. 1926. P. 269.

The editor who drops into his chair for a moment's relaxation after the last edition has been put to bed and picks up Norman J. Radder's book, *Newspapers in Community Service*, is likely to be reminded of the last words of Cecil Rhodes, "So much to do, so little done." Here indeed is a compilation of journalistic duties in the grand manner, with no less than 113 specific suggestions for "starting something." Mr. Radder, who is an associate professor of journalism at Indiana University and was once on the editorial staff of the New York Times and the Christian Science Monitor, grants the premise that the first functions of a newspaper are the publishing of news, opinion about the news and a certain merchandizing service through advertising, but he believes there is an additional obligation, and a heavy one, to community service and leadership. "This book," he says, "presents the American newspaper as a factor in the promotion of agriculture, business, better housing, health, schools, parks, play grounds and worthy community enterprises of every kind." In fact, in almost every phase of social, civic and industrial activity Mr. Radder believes the press ought to buckle on its armor, sound the clarion call and head the charge.

Mr. Radder approaches his subject as an enthusiast. He believes there is no other factor as powerful in forming public opinion as the newspaper. He believes there is no other institution with as great an obligation for community service as the newspaper and no individual so highly responsible for leadership as the editor. He sees the press as some super-force, educating the public, stimulating its civic pride, giving it parks and play grounds, keeping it well through crusades for health and sanitation, relieving its financial infirmities and finally singing it to sleep at night by radio.

Many editors will hesitate to go all the way with Mr. Radder. There is a feeling in editorial circles, possible a growing one, that there is a tendency for newspapers to go too far in this sort of thing. The picture of *La Prensa* blowing its whistle to announce to the waiting Southern Hemisphere that an important news event has occurred and dashing back to rock some Argentine mother's baby to sleep while she pursues her shopping expedition in peace, and corresponding

extravagances indulged in by some members of the American press, seem to some editors, at least, rather outside the newspaper part. For instance, as long as radio is an agency for entertainment and not yet a part of the news distributing machinery of the newspaper, it is difficult to understand why there is any more obligation on the part of a newspaper to maintain a radio service station than to conduct a free theater or support a band of bag pipers on every busy corner. One wonders whether Mr. Radder does not tend at times to overemphasize the relations between the community service program and the newspapers and to attempt to make an association where one does not naturally exist.

Mr. Radder's book is much more valuable because he is an enthusiast. It is a book which ought to be in the hands of every newspaper editor in the country because it offers a real stimulus to constructive effort. Every newspaper theoretically is in accord with at least the fundamentals of Mr. Radder's doctrine. Too many newspapers fail, however, to put their theories into practice because of inertia or the feeling that there are so many other pressing things to be done. From a purely selfish standpoint whatever helps the community helps the newspaper, but one is glad that Mr. Radder does not approach his subject from that standpoint. To him there is an idealistic obligation to service which the newspaper cannot evade and remain true to its public trust. In these days, when the newspaper has become a great business enterprise involving millions of dollars in its operations, there is need for a restatement of the obligations of journalistic service. There are few editors indeed who will be able to read the chapters on the editor as a crusader and the obligation of service without experiencing a new thrill of power and responsibility.

"Newspapers in Community Service" is a novel contribution to a rapidly growing literature of journalism. It will repay careful consideration.

ERIE C. HOPWOOD.

Editor, *Cleveland Plain-Dealer*.



WOMEN POLICE. By Chloe Owings, New York: Bureau of Social Hygiene. 1925. Pp. XXII, 337.

Women Police gives the history and the development of the employment of women as

police officers. Two-thirds of the book is historical. Beginnings of the work in England and its development there, on the Continent, in parts of Asia, and in South America, are described. Even the countries that have no women police are included in this comprehensive survey.

In the historical section, the half devoted to the work in the United States is more detailed, good descriptions being given of policies and functions of the policewomen in the larger cities, particularly, Washington, Detroit, and New York. One chapter is devoted to the story of the International Association of Policewomen. The last eighty pages of the book deal with community problems, program of work for women police, form of organization and training. Various forms of policewomen's bureaus are described and compared. The chapter on training and training schools gives information as to where may be found helpful courses in preparation for this work.

Community agencies, their functions and relations to the delinquency problem are discussed. The point is made by the author that these agencies are covering a field which might be considered legitimate work of a woman's bureau in a police department, and if carried on by the latter, would have the added force of legal authority. In discussing programs of work, questions are raised as to the rights of women police and how far they should legally go in the preventive and protective work in curtailing the individual liberty of the young people concerned. The question of what women can do and should do is raised, and the writer concludes that "there is, as yet, no body of reliable, tested related factual experiments which can serve as a basis for a universal program of work for women police." "Women Police" is a book of considerable merit as a history of the employment of women as police officers and as a general description of their functions. But what is the women police movement to which it refers? How does it differ from the policemen's or the police movement? Is it anything more than the socialization of police work, similar to the socialization going on in other fields, in which greater consideration is being given more and more to the preventive aspects? Rather than being a policewoman's problem, is it not a problem of socializing police work as a whole? It is true that the employment of women has been an entering wedge, which, as time goes on, will

broaden the field of applying the preventive and protective functions of the police department to include men and young men, as well as women and children.

As quoted above, the author states that "there is, as yet, no body of reliable, tested, related factual experiments which can serve as a basis for a universal program of work for women police." There is as much of a basis for a program of work for women police as there is for men police. It is just as sure for one as for the other. The difficulty has been in working out and putting into effect the philosophy of socialization which has been talked of for some years.

Why speak of a program of work for police-women as against a program of work for policemen? Is it not a question of developing a modern program for the police, whether men or women? For example, in speaking of handling prostitution, the question is raised whether men cannot do it as well as women. The problem there is how can anyone handle it? It hasn't reached the secondary point yet of whether men or women can or should handle it, but it still is a question of whether anyone can handle it, and how it can be handled.

It was a disappointment not to find a more detailed description of how one well organized bureau of policewomen actually does its work from day to day, how it handles its cases, its relation to the court and to the probation officers and its relationship to the general case work and protective agencies in the community. This, however, may not have been the purpose of the book.

The employment of women police has in turn been covered by sentimentality and by abuse. The issue has become confused because emphasis has been placed upon the means rather than upon the ends to be accomplished, that is, more upon the personnel than upon the problems. It is felt that much misunderstanding would be eliminated if, in speaking or writing about women police, the subject were discussed from the point of view of the general police problem, from the standpoint of objective rather than that of personnel.

This book is timely and brings up to date in one volume the information on a much discussed subject. It should stimulate a greater interest in the employment of women as police officers.

ARCH MANDEL.

Dayton Research Association.



# PUBLIC UTILITIES

EDITED BY JOHN BAUER

*Public Utility Consultant, New York City*

**Reproduction Cost or Actual Cost?**—In the last number of the REVIEW we outlined the chief points of controversy in public utility rate-making. The first question is whether valuation of the properties shall be based on reproduction cost or original cost of the properties? What is the proper starting point in determining "fair value"?

Unfortunately no precise definition of "fair value" has ever been laid down either by the various statutes providing for rate regulation or by the courts in passing on the constitutionality of rates. The Magna Charta of "fair value" is the opinion of the supreme court of the United States in the famous case of *Smyth v. Ames*, which laid down the general limitation upon rates and stated that a company is entitled to earn a fair return on the "fair value" of its property used in public service.<sup>1</sup> In determining the "fair value" the court stated that consideration should be given to:

... the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stock, the present as compared with the original cost of construction, the probable earning capacity of the company under particular rates prescribed by statute, and the sum required to pay operating expenses . . . and are to be given such weight as may be just and right in each case. We do not say that there may not be other matters to be regarded in estimating the value of the property. What the company is entitled to ask is a fair return on the value of that which it employs for the public convenience. On the other hand, what the public is entitled to demand is that no more be exacted from it . . . than the services rendered . . . are reasonably worth.

This statement in one form or another has been repeated almost innumerable times by the courts and commissions, and stands to-day, with some tacitly accepted deletions and additions, as the rule or formula on valuation. It purports to set forth the elements or constituents of "fair value," and the sole yard-stick for its measurement.

<sup>1</sup> 169 U. S. 466, 544.

## IS IT A FORMULA?

Here, then, is the chief difficulty. We have a statement which has been taken as a basic definition or formula for the determination of "fair value," when, as a cold scientific fact, it does not define and is not a formula.

A definition used for such an important matter as fixing the respective rights of the investors and the public, should state concisely the scope, contents and limits of "fair value," without omission and without unclear or equivocal use of terms. A formula should prescribe exactly the elements or component parts to be included and should fix the relative weight or proportion to be allotted to each. Unless there is such preciseness and exactness, the practical application of the definition or formula inevitably creates divergence of interest between the public and the companies. The latter at every stage naturally stress the elements which work for a maximum valuation, while the public, equally naturally, pursues the opposite course.

## INDEFINITENESS

We may briefly summarize the lack of definiteness in the formula so as to show more clearly the difficulty of its use in the extended application under widely different conditions.

(1) As already indicated the so-called formula does not specify the relative weight for each component part. How can any prescription be followed if merely the different constituent elements are named, without stating the proportions, and then adding that there may be still other items to go into the compound?

(2) It includes items which have no logical relation to value. It mentions the "sum required to pay operating expenses" and "the probable earning capacity—under particular rates prescribed." These are important categories in judging whether the rates are adequate to furnish a "fair return" on "fair value", but they do not enter into the determination of the "fair value" itself. Naturally they have been disregarded in the actual process of valuation but are used in their logical place in rate making.

(3) It includes items which are inapplicable and have been tacitly omitted in the course of actual regulation. Named with the other elements are "the amount and market value of its bonds and stock"; but par value of any securities has been recognized as having nothing to do with property as such, being merely the paper representative of property. If there were a valuation of the bonds and stock separately, in addition to the property, there would be duplication; the same thing would be included twice. A like duplication would appear in the market value. Moreover, the market value is dependent upon existing earning power under given rates; consequently it cannot be used as a basis of measuring fair rates. The result cannot be employed for determining the basis of the result itself.

(4) It does not contain all the elements that have come to be recognized as essential for valuation. It omits particularly depreciation, which in later cases has been deducted from the gross valuation of the properties. Nor, does it provide for the various overheads or "going value" over which a special controversy is raging.

(5) The rest of the items are not presented with sufficient precision. They either duplicate, overlap or are elliptical or inconsistent. What difference is there between "the original cost of construction" and "the amount expended in permanent improvements"? If there is a difference, then is that to be carried into the consideration of "the present as compared with the original cost of construction"? Just how are these terms to be used together so as to give each its exact place in the formula? Our present fight is between "reproduction cost" and "original cost" of the properties. But the term "reproduction cost" is not used in the formula, and it is not clear what is meant by "original cost of construction." Are we to assume that the "present as compared with the original cost," sets forth the difference between what we now impute to "reproduction cost" and "original cost"?

The conclusion must be that the court did not intend to lay down an exact definition and formula for appraisal in rate-making. It had struggled for several decades with rates fixed by the legislatures of the several states and finally reached a general conclusion as to the limits to which such rates could go without encroaching upon private investment. On the other hand it sought to avoid undue interference with the legislative right to fix rates. Conse-

quently it merely indicated, in general, the considerations that should be kept in mind in fixing reasonable rates, without setting forth exact rules and orders for rate-making. Any other view of the statement involves the fundamental law in too much inconsistency, vagueness and confusion.

#### EFFECT OF RISING PRICES

During the first decade and a half after the pronouncement of *Smyth v. Ames*, 1898 to 1914, there was no clear difference between a valuation based primarily on reproduction cost and actual cost of the properties. The conflict between the two became important only with the sharply rising prices during and after the war, and as a result of the continued higher price level. At the present time there is in most cases a substantial difference between properties appraised at reproduction cost or original cost, so that it is important to have a clear determination as to which basis shall be used or at least in what proportion the elements shall be combined.

The whole problem of rate-making is in such a chaotic state, due principally to the problem of valuation, that it should be taken up as a legislative matter. If definite policies and methods are to be established, we must look to the legislatures, not the courts, for relief from the confusion.



**The Supreme Court and Depreciation.**—Seldom has the supreme court of the United States rendered a public utility decision which is open to such serious criticism on the grounds of interference with reasonable rate procedure, as in the recent New Jersey telephone case decided April 12, 1926, pertaining to the charges for depreciation in relation to a fair return on the properties.

The New York Telephone Company in March, 1924, filed a schedule for higher rates with the board of public utility commissioners of New Jersey. An investigation followed, and the increase was denied because with an adjustment of depreciation rates an adequate return was obtained. The commission found that the current annual depreciation was \$2,678,000, while the company's charge was \$3,452,000 and that on the basis of such charges an excessive reserve has been accumulated, amounting to \$16,990,000. It held, therefore, that part of the annual depreciation, for a time at least, should be made up by drawing upon the excessive reserve. But the

court held that this was unwarranted; that the company has a right to base its rates upon full current cost, without depending upon past earnings for a proper present return.

In earlier cases the court had held that past profits cannot be balanced against present losses, nor past losses made good through higher rates for the future. The present decision was thus deemed to be in harmony with these earlier decisions. But, whatever may be said as to the legal view that past losses or profits cannot be carried into the accounts for future rates, there is a distinction in this case, so far as the financial and economic facts are concerned. The earlier decisions had to do with "profits" and "losses" as such. The depreciation reserve, however, does not reflect either profit or losses, it represents past provisions through revenues for the ultimate retirement of property, and is not from a financial standpoint, available for any other purpose. It cannot be used for the payment of any return to the investors,—unless the present decision should change the entire legal character of the funds represented by the reserve.

The allowance for depreciation is inevitably based upon estimates which are subject to error. This is particularly true of telephone properties which are greatly affected by obsolescence. For this very reason the New York Telephone Company has deliberately set up high depreciation rates to assure an adequate provision for all probable changes in the industry. And for this reason the New Jersey commission, as well as the New York commission, and other commissions all over the country, had permitted the continuance of high depreciation rates, realizing that these might be too high but believing that in the interest of financial stability an excess would be preferable to a deficiency, provided that subsequent proper adjustments were made if an excess actually proved to exist. In line with this view, the New Jersey commission believed that the times for such an adjustment had arrived, but now the court has intervened with a decision making the adjustment impossible.

From a financial standpoint, this looks like the worst decision that the court has ever made in the field of rate regulation. It will require the commissions to set up independent depreciation estimates for each year. This will not only require an enormous amount of otherwise unnecessary work, but will be arbitrary, and will result in repeated injustice sometimes to the

companies and sometimes to the public. As above stated, depreciation charges cannot be anything but estimates, especially for telephone properties. Consequently if obsolescence works faster than a commission expects, the company loses; if it works slow, the public loses. Why impose this gamble upon regulation? Why not permit reasonable flexibility, so that charges which prove excessive may be counter-balanced by subsequent lower charges, or the reverse?

If the depreciation reserve built up on the basis of estimates is actually reserved for its own financial purposes, how can the return to the investors be prejudiced by a systematic adjustment from time to time? If the company gets a fair return within the scope of such adjustments, where is there any confiscation? It would appear that the court has interfered with rate-making without due consideration to the financial facts involved; that it has set up its own economic idea in place of the commission's judgment based upon long experience and intimate contact with the requirements of the situation.

The commissions now appear to be straight-jacketed; with no room to squirm about or breathe. They must perforce fix the rate for each year upon the costs of that year; no overlapping, counter-balancing, or equalization. This is judicially required, notwithstanding the fact that none of the costs entering into reasonable rates are fully known until the close of the year, and that many, like depreciation, are based upon estimates and often upon only intelligent guesses. This is quite a responsibility. Moreover, it must be exercised under the formula of a "fair return" on the "fair value", where the "fair" quantity is constantly shifting and cannot be determined within a year, and really does not exist any more when it has been determined.

So, in the mood of the famous play, we ask "what price rate-making" and "what sense rate-making"? The whole situation is chaotic, as has been repeatedly brought out in the REVIEW. The whole subject of regulation should receive a thorough airing; difficulties sifted and sensible policies and methods established. This, first of all, requires investigation and publicity, and finally legislative action. Until a sensible program is legally established, which will provide definiteness and clarity, regulation will be overwhelmed by excessive costs, conflict between the public and the investors, deadlock and arbitrary action.



**Busses and Trolleys.**—Two interesting news items of the month throw light on the tremendous competition between busses and trolleys; the over-reaching by the new and the resurging vitality of the old. From Indianapolis we hear that the Union Bus Station, dedicated only a year ago to a radiating state-wide bus system, has been abandoned and that the bus lines have come under the control of the interurban traction companies. At the same time we hear that the Grand Rapids Railway Company is re-equipping its lines with a new type of cars, much lighter in weight, running on roller bearings, and embodying numerous improvements for the greater convenience and comfort of the riders. This is a daring street railway enterprise, and one hopes that it is better founded than the zealous erection of the Union Bus Station in the sister city.

No one can tell what the competition between the two modes of transportation will bring forth, and almost any interference in the competition is probably somewhat arbitrary and hardly justified. There is no doubt that there will be many losses in bus investments because of exuberance of expectation; to wit, the Union Bus Station and a premature state-wide bus system. But in another form this is mere

repetition of what happened a generation ago among street railways. It is remarkable, however, on the part of the street railways what great improvements are made when the industry is faced with over-reaching competition. The companies are now learning, in the face of ruthless competition, that traffic and greater traffic is necessary; that more traffic with progressive service is a more potent competitive force, than diminishing traffic with higher rates.

A great deal is said about the waste of competition between busses and trolleys and that the two should be co-ordinated under the same management. In general this view is sensible. But who knows really whether both trolleys and busses will survive, or what place each is economically entitled to when competition has been carried to its ultimate results? Might not premature combination bring stagnation, choking the re-vitalization of development on the part of the trolleys and making further effort on the part of busses unnecessary? And might not the new properties be brought under the financial structure of the old with the extensive over-capitalization and excessive fixed charges, and thus become entangled with the street railways' financial difficulties?

# JUDICIAL DECISIONS

EDITED BY C. W. TOOKE

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## FEDERAL TAXATION OF THE COMPENSATION OF MUNICIPAL OFFICERS AND EMPLOYEES

Two important decisions, bearing upon the question raised in the title of this note, have recently been handed down: *Lyons v. Reinecke*, by the circuit court of appeals of the seventh circuit,<sup>1</sup> and *Metcalf v. Mitchell* by the supreme court of the United States.<sup>2</sup> While the latter case brought up the validity of a tax under the Revenue Act of 1916, which expressly exempted the salaries and compensation of all state officers, and the former case concerned taxes paid under the later acts, which, beginning with that of 1918, omitted the clause of express exemption, both involved the primary question of the extent of the federal taxing power, over the instrumentalities of the states, especially as it affects the taxation of the income and compensation of municipal officers and employees.

### INCOME FROM LOCAL IMPROVEMENT BOARD TAXABLE

In *Lyons v. Reinecke*, the plaintiff was engaged under authority from the city council by the board of local improvements of the city of Chicago for a period of five years as an "appraiser of real estate in connection with the carrying out of a plan of local improvement for widening, extending and relocating streets". This improvement called for an estimated outlay of more than \$65,000,000, to be expended for property to be taken by eminent domain, and to be raised mainly by special assessment of the property benefited. The condemnation proceedings affected no less than 7,000 different owners of property, and the apportionment of the assessments required the valuation of 100,000 separate pieces of property specially benefited. This municipal project, therefore, was one for the distinctly public and governmental purpose of improving the streets and highways and in-

volved in its administration the exercise of the sovereign powers of taxation and of eminent domain. The pleadings established that all these powers were being exercised by the proper municipal officers under legislative authorization.

The plaintiff sued to recover money paid by him under protest as an income tax in the year 1920. While the declaration was indefinite as to the services he actually rendered and as to the exact basis of his remuneration, the court assumed that the income claimed to be illegally assessed was derived from his employment as an expert appraiser in connection with this important work under the board of local improvements. The declaration first stated that he was employed at fifty dollars a day and a later clause set forth that his rate of compensation was one per cent of the value of the property appraised,<sup>3</sup> but the court failed to draw any inference from the latter statement that his true status might have been that of an independent contractor. While the making of such a contract, so far as appears from the pleadings recited in the reported case, would have been plainly *ultra vires*, the court might well have been warranted in drawing this inference from the pleadings, notwithstanding the plaintiff's assertion that he acted as an employee of the board. Upon this basis the decision that his income was not exempt would not be open to question.<sup>4</sup>

<sup>3</sup> The court states that from January 1, 1920, to March 2, 1921, he was actually paid the sum of \$322,369.93. His contract evidently was at the rate of one per cent of the valuation of the property appraised and a per diem of \$50 when engaged as a witness.

<sup>4</sup> Article 88 of Treasury Regulations 62 states that an employee is one whose duties consist in the rendition of prescribed services and not the accomplishment of specific objects and whose services are continuous, not occasional or temporary. The supreme court in *Chicago, Rock Island and Pacific Railway Company v. Bond* (1916) 240 U. S. 449, in holding that Bond, who engaged to shovel coal at a stipulated price per ton,

<sup>1</sup> Jan. 15, 1926, 10 Fed. (2d) 3.

<sup>2</sup> Jan. 11, 1926, 46 Sup. Ct. R. 172; 70 Law Ed. 185.

The court, however, in holding his compensation as an employee to be taxable, based its decision upon the ground that the city in carrying out this improvement was acting in a "private or proprietary", and not in a "public or governmental" capacity; and in order to defend its unique conclusion applies the test of a city's liability in tort to determine the nature of the function it was exercising. While it is true that tort liability may often turn upon the nature of the function being exercised by the municipality, it is difficult to see why the reverse of this principle, already falling into disrepute in many courts, should be considered determinative of the question at bar. The fact that in the New England states no municipality is liable in tort for the negligence in the maintenance of its streets and highways except by statute, and that in other jurisdictions where strict common law liability is imposed the "public or governmental" nature of streets and highways is fully recognized. It seems clear, therefore, upon the court's own argument, that if the plaintiff was an employee of the board of local improvements, and engaged to perform important and necessary parts of the work in hand, assuming that the test of liability of a municipal employee to pay the federal income tax on his remuneration is the "proprietary" or "governmental" nature of the municipal enterprise in which he is engaged, the plaintiff's income should have been held to be exempt. That this conclusion, although logical, might still be erroneous, we shall point out later.<sup>5</sup>

#### WAGES OF STREET CAR EMPLOYEE EXEMPT

In sharp contrast with the decision in the above case, was that in *Frey v. Woodworth*, handed down December 23, 1924,<sup>6</sup> in which it was held that the wages of a street car operator employed during the year 1923 by the city of Detroit were exempt from the federal income tax. The court in that case, after showing that the authorities are unanimous in holding that

was not an employee, said: "The railroad company . . . did not retain the right to direct the manner in which the business should be done, as well as the results to be accomplished, or in other words, did not retain control not only of what should be done but how it should be done." See, also, *Singer Mfg. Co. v. Rahn*, 132 U. S. 518; *Standard Oil Co. v. Anderson*, 212 U. S. 215.

<sup>5</sup> No appeal was prosecuted by the taxpayer in this case.

<sup>6</sup> District Court E. D. Mich. S. D., 2 Fed. (2d) 725.

the construction and control of streets and highways are distinctly public and governmental functions as fully as the preservation of health, the protection of property and the prevention of crime, because they are the primary "means of communication for the whole community, rather than for the state or for the subdivision of the state which creates and maintains them," went to the extent of holding that the city in providing a modern and improved method of communication upon its highways was exercising a governmental function. The argument advanced was that while without question the city would be liable in tort if one were injured through the negligence of its operating employees, the railroad system is held in trust for the people of the city, in the same way and for a similar purpose as a municipal ferry, which has been held to be exempt from the federal transportation tax.<sup>7</sup> "Upon its proper functioning" says the court, "depends inevitably the efficiency of government, . . . without it this city cannot exist." Admitting the conclusions of fact by the court, it follows that the agency is governmental and that the remuneration of the officers and employees should be exempt from federal taxation upon the principle that those instrumentalities of the state which are of a strictly governmental character are exempt from federal taxation.

#### OPINION OF SUPREME COURT

It is refreshing to turn from the labored arguments of these two opinions to the sound and lucid consideration of a similar question by one of the justices of the supreme court of the United States. *Metcalf v. Mitchell*, decided on appeal by the supreme court on January 11 of the present year, was a suit by members of the firm of Metcalf and Eddy to recover taxes paid upon the fees received by them from municipalities which they had served as consulting engineers in the construction of waterworks and sewerage systems. In the district court<sup>8</sup> the income received by Mr. Metcalf as chief engineer of the Kennebec Water District and that of Mr. Eddy as a member of the board of engineers of the North Shore Sanitary District in Illinois, were found to be exempt, but some eighteen other items of income received by members of the firm for their services to municipalities were held to be in-

<sup>7</sup> U. S. v. King County, 281 Fed. 686, Circuit Court of Appeals, Ninth Circuit, July 3, 1922.

<sup>8</sup> District Court of Mass., May 21, 1924; 299 Fed. 812.



cluded in taxable income, upon the ground that municipalities in furnishing water and supplying a sewer service were acting in "proprietary" and not a "governmental" capacity. The futility of attempting to apply a test of liability in tort to determine the character of a municipal function for the purpose of taxation may be noted in the finding of the court that a water supply for the Kennebec district involved the exercise of a strictly governmental power in conducting to the health of the inhabitants of the district, while a similar service by a city or village was "proprietary" as being primarily commercial in nature.

This case came before the supreme court on writs of error prosecuted by the government and by the taxpayer. As to the exemptions adjudged by the district court, the writ of error was dismissed, upon the ground that it plainly appeared that the moneys paid to Mr. Metcalf from the Kennebec Water District and those to Mr. Eddy from the North Shore Sanitary District were in each case compensation to the incumbent of an office created by statute. As to the remaining items, the judgment of the lower court was also affirmed, but upon the ground that neither of the plaintiffs in error occupied any official position in any of the undertakings to which these items related; that their duties in each case were prescribed by their contracts with the respective municipalities from which they received their pay; and that therefore they did not come under the provision of the Act of 1917, which expressly exempted from the federal income tax all compensation and fees received by the officers and employees of any state or territory or of any local subdivision thereof.

In his illuminating opinion, however, Mr. Justice Stone proceeds further to discuss the difficult question of the extent of the power of congress to tax the instrumentalities of the state governments. The supreme court has repeatedly intimated that the sixteenth Amendment did not extend the federal taxing power to any new class of subjects,<sup>9</sup> nor did it modify the long established principle that those agencies through which either the federal or state government immediately and directly exercises its sovereign

power are immune from the taxing power of the other. "Neither government," says the court, "may destroy the other nor curtail in any substantial manner the exercise of its powers." The operation of the rule must receive a practical construction which will permit both governments to function with the minimum of interference each with the other, and this limitation cannot be so varied or extended as seriously to impair either the taxing power of the government imposing the tax, or the appropriate exercise of the function of the government affected by it.<sup>10</sup>

Upon this principle, the application of which is elaborated in the opinion of the learned justice, it is evident that the doctrine of immunity would not include the income derived by independent contractors on the one hand, while, on the other hand, the salaries of state and municipal officers would be held exempt from the operation of the federal tax. Nor should the fact that the officer's duties primarily relate to the operation of the waterworks department, for example, exclude him from the benefit of the rule. The supply of water to the inhabitants of a municipality by statutory permission or direction may well be regarded to-day as largely governmental, as an exercise of the police power for the preservation of the health of the inhabitants of the city in the first instance and incidentally for the welfare of the state at large. In conformity with this view, the courts now generally hold that the property so used is held in trust for the people of the locality,<sup>11</sup> that in the absence of direct legislative authorization it cannot be disposed of by the city,<sup>12</sup> nor taxed by another municipality,<sup>13</sup> and that it is exempt from execution.<sup>14</sup> In all these respects the waterworks system of a municipality is governmental rather than proprietary in character.

Although in the case of *Flint v. Stone Tracy Company*<sup>15</sup> the supreme court has said that "it is no part of the essential governmental functions of a state to provide means of transportation, supply artificial light, water and the like," it

<sup>9</sup> *Brushaber v. Union P. R. R. Co.* (1915) 240 U. S. 1.

*Peck and Co. v. Lowe*, (1918) 247 U. S. 165.

*Eisner v. Macomber*, (1920) 252 U. S. 189.

*Evans v. Gore*, (1920) 253 U. S. 245.

<sup>10</sup> *Gillespie v. Oklahoma*, (1922) 257 U. S. 501.

<sup>11</sup> *Roberts v. Louisville*, 92, Ky. 95.

<sup>12</sup> *Huron Waterworks Company v. Huron*, 7 S. D. 9.

<sup>13</sup> *Rochester v. Rush*, 80 N. Y. 302.

<sup>14</sup> *Meriwether v. Garrett*, 102 U. S. 473; *New Orleans v. Morris*, 105 U. S. 600.

<sup>15</sup> 220 U. S. 107.

must be observed that the question there involved was the status of private corporations performing such services for private emolument and advantage, which although serving the public and exercising extraordinary delegated authority, such as the power of eminent domain, are not thereby removed from the field of federal taxation.

#### EMPLOYEES AS DISTINGUISHED FROM OFFICERS

As to the question of the exemption of the income of municipal employees, in distinction from that of municipal officers, whether engaged in the care of a city's fire apparatus or in the operation of its street railroad, it is difficult to see, other than in exceptional cases, how the taxation of their incomes in any individual case directly affects the continuity of the municipal service. The very instability of their tenure, the absence of statutory duties and the constant control of their activities by their superiors, all indicia of the status of employees rather than that of officers, negatives the inference that these particular services are essential to the carrying out of the governmental functions of the municipality.

It may be regretted that the question of the power of the federal government to tax the incomes of mere employees of municipalities will always remain a moot question unless section

1211 of the Revenue Act of 1926 is repealed by some subsequent act of congress. This section provides that: "Any taxes imposed by the Revenue Act of 1924, or prior revenue acts upon any individual in respect of amounts received by him as compensation for personal services as an officer or employee of any state or political subdivision thereof (except to the extent that such compensation is paid by the United States government directly or indirectly) shall, subject to the statutory period of limitations properly applicable thereto, be abated, credited, or refunded." Due to this section of the act, and the adjudication of the similar clause in the Act of 1916, by the supreme court in *Metcalfe v. Mitchell*, the pending appeal in the case of *Frey v. Woodworth* was dismissed March 8, 1926, upon motion of the government. As no basis now remains in the present law for litigating the exemption of the remuneration of municipal officers and employees from the federal income tax, the only question that is probable to arise in any given case will be the determination as to whether the taxpayer's position may not be that of an independent contractor. If such is his status, it has been settled in *Metcalfe v. Mitchell*, beyond any further controversy, that the payments he has received for the services rendered to the municipality are subject to taxation as income under the federal statutes.

#### BRIEF NOTES ON RECENT DECISIONS

**Municipal Waterworks—Taxpayer's Action to Enjoin Sale Outside the City Limits.**—In *Western New York Water Company v. City of Buffalo* (151 N. E. 207) the New York court of appeals held that a taxpayer as such has no standing to enjoin the sale of water outside the city in the absence of evidence showing that the sale impairs the capacity of the city to finish an adequate supply for municipal purposes or to its inhabitants, or otherwise, is calculated to be productive of injury to the city and its taxpayers. In the instant case, the city contracted to furnish water to the Iroquois Gas Corporation, a public utility, which received the water within the city limits and conducted it to its plant outside. The court holds that the illegality of the official act is not the test of the taxpayer's right to injunctive relief, but that in the absence of waste or injury, the threatened act must be such as to imperil the public interest. If the official act be

authorized, injunctive relief may be granted where such sale may impair the municipal supply or subject the city to liability to damage in case the contract is not carried out. (*Simon v. Parker*, 190 N. Y. 19; 82 N. E. 732.)



**Municipal Waterworks—Mechanic's Lien Against.**—The public character of municipal waterworks is emphasized in the case of *Fairbanks, Morse & Co. v. Cape Charles* (131 S. E. 437) decided by the supreme court of appeals of Virginia, January 14, 1926. The plaintiff set up a claim to a lien under section 6435 of the Virginia Code which provides generally that every assignment of a general contractor's interest shall be subject to the priority of liens. The court refused to accede to the claim that the statute in any way modified the common law rule that municipal property is not subject to mechanics' liens. "It is clear," says the court,

"that the applicants have no lien on the water-works of the town of Cape Charles, as it is the public property of a municipal corporation (*Phillips v. University*, 97 Va. 472, 34 S. E. 66). The rule here applied that, in the absence of a statute imposing such liability, the property of a municipality devoted to a public purpose is not subject to a mechanic's lien is almost universally accepted.

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**Optional Charters—Effect of Adoption.**—The supreme judicial court of Massachusetts in the case of *Safford v. City of Lowell* (151 N. E. 111; Mar. 2, 1926) passed upon the effect of the adoption of the City Plan B charter. Under the laws applicable to the city prior to January, 1922, the purchasing agent might in a case of extreme emergency contract for supplies without calling for competitive bids, and the determination of the emergency was left with the mayor. Under the new charter, competitive bids are required for all contracts involving more than \$200, "except in cases of special emergency, involving the health or safety of the people or their property." The contract in question called for the purchase of some 200 tons of cold patch material for road repairs, let without competitive bidding. Upon an action of taxpayers to enjoin payment for material furnished, the court held that the earlier charter provisions on this point were repealed by the adoption of the optional charter, that the evidence did not show in fact a special emergency and therefore the plaintiffs were entitled to a decree restraining the officers of the city from paying for the material received.

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**Commission Government—Method of Exercising Powers.**—In the *City of Williston v. Ludowese* (Supreme Court, N. D., Feb. 5, 1926; 208 N. W. 82), the court had before it the question of the powers to be exercised by boards of commissioners in cities which have adopted the commission form of government. Holding that such boards are clothed with all the powers conferred by the legislature on cities so organized, the court draws attention to the legal requirement that all their legislative powers must be exercised as a board and that, except as they are executed through board action, their acts are illegal and void. No single commissioner nor

group of commissioners, acting as individuals or as a group, but not regularly assembled as a board of city commissioners, has authority to bind the municipality by his actions, representations, or declarations, unless authority to perform a ministerial act is duly conferred upon him. The city is entitled to the benefit which can flow from the knowledge, experience, wisdom and judgment of all the members in consultation. This elemental rule, frequently unobserved in spirit if not in practice, may well be invoked to correct the evils sometimes arising through the mutual agreement of members of such boards to apportion the important powers of local government among themselves and to practically abdicate the major part of the duties imposed upon them by law.

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**Home Rule—Local Taxation in California.**—In the case of *Storke v. Santa Barbara* (244 Pac. 158, Feb. 25, 1926), the supreme court refused to hear an appeal from the judgment of the district court of appeals, which held that the scheme of local taxation adopted by the city under its charter making power was the exercise of a purely municipal purpose, and that therefore a resolution providing for the employment of an expert appraiser of property for purposes of taxation was valid. The rule prevailing in California under the constitutional amendment of 1896 is that the charter provision prevails unless the legislature has by statute covered the entire field. The amendments of 1914 confer upon the city primary legislative powers as to all purely municipal affairs. In the instant case the city acted without the formality of an ordinance, but the exercise of power was sustained upon the ground, first, that it concerned a purely municipal purpose and, second, that the legislature under the general statute regulating local taxation had not covered the entire field. This decision is to the effect that the power of the legislature in any event to control municipal affairs by general law does not extend further than as a limitation upon the local powers; and that the city retains full capacity to act, so far as the general statute fails to cover the entire field. By these later decisions, California is carrying the home rule powers of its cities in some respects further than any other state.



# GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

**San Francisco Bureau of Governmental Research.**—Through the efforts of the California Development Association an organization has been effected in California of a state Executive Research Council for standardizing and co-ordinating economic data pertaining to the welfare of the state. Director W. H. Nanry represented the San Francisco Bureau at a meeting in Los Angeles in February, when 127 representatives of research agencies gathered to discuss the formation of such a council. Resolutions were adopted unanimously that the council be organized as a voluntary association, neither contractual nor corporate in nature, which shall have no financial obligation. Its objects are to co-operate with existing agencies, to seek elimination of duplicate work, and to find some method of filling the important gaps in the sources of economic statistics. At a meeting at the University of California in April the organization was perfected and officers elected. The first task will be to issue a catalog setting forth the facilities and activities of the associated agencies, and it will be published as soon as possible. While the objects of the council do not directly embrace the work of the San Francisco Bureau of Governmental Research, the plan is one which the Bureau regards very highly and may prove to be a valuable source of information and data required by governmental research bureaus.

The Bureau has also been asked to affiliate with a branch of the American Statistical Association, which is being organized in the bay region for the dissemination of information regarding business budget procedure.

The Bureau has gone on record opposing methods adopted by the salary standardization board, which has just completed the classification of all municipal employees. The Bureau takes the stand that classification should be on accepted principles of duties only, while the plan submitted to the city's legislative body for adoption is based partly on duties and partly on salaries and fails to carry out the purposes of the salary

standardization amendment of the city charter which the Bureau fostered.

The city's budget for the fiscal year beginning July 1, now in preparation, is being analyzed closely with the object of making proposals of savings to the board of supervisors and of advocating certain needed improvements in budget procedure.



**Toledo Commission of Publicity and Efficiency.**—The Commission of Publicity and Efficiency of Toledo is now engaged in making a survey of the local health department. Administration of health activities in Toledo is considerably decentralized in that at least three agencies other than the municipal government are engaged in essential public health work.

The Commission is still receiving numerous requests for copies of the police department survey which was published in January.



**Kansas City Public Service Institute.**—Kansas City's new manager charter took effect on April 10. H. F. McElroy was elected city manager. The majority of the council is Democratic, the manager is a Democrat, and it seems as if the government will be operated on a partisan basis. How successful it will be, remains to be seen.

The Public Service Institute co-operated in the drafting of the administrative code which provided for the transition from the old form of government to the new and the outline of organization and procedure for the new government. The code is not intended as a complete or final document. It includes an outline of a new accounting system, which it is hoped will provide a method of control such as Kansas City has not previously had.



**The Ohio Institute.**—J. P. Watson of the Robert Brookings Graduate School of Economics and

Government will join the staff of The Ohio Institute in July to specialize in public finance and taxation.



**Municipal Research Bureau of Cleveland.**—The Municipal Research Bureau of Cleveland has recently issued its annual report upon pavement construction in that city. It contains an interesting treatment of the variable factors entering into the manufacture of concrete for pavements and makes constructive suggestions for the elimination or minimizing of such variable factors. Core testing of finished pavements as conducted in Cleveland during last year is discussed. Recommendations for a higher grade concrete are made and for a better standard of inspectional service.



**Philadelphia Bureau of Municipal Research.**—At a meeting held April 20, 1926, E. Lewis Burnham was elected president of the board of trustees of the Philadelphia Bureau.

Edward T. Paxton, for eight years a member of the staff of the Philadelphia Bureau, resigned, effective April 15, to assume the directorship of the Committee of Seventy of Philadelphia.



**Toronto Bureau of Municipal Research.**—The Bureau published a bulletin entitled, "Planning Versus Confusion."

1. Confusion in Restrictions.
2. Confusion in Planning Improvements.
3. Confusion in Salary and Wages Control.
4. Confusion in Policy Forming.

This bulletin received considerable publicity and very favorable comment from the daily press.

The Bureau published its twelfth annual report and held its twelfth annual meeting.

**Citizen's Research Institute of Canada.**—The third of the annual series, "Cost of Government in Canada, Dominion," has been issued. The fourth of the series, "Summary," is in the course of preparation and will be issued shortly.

The Institute published its Sixth Annual Report. The publications of the Institute go to all parts of Canada, as well as to a number of interested organizations in the United States.

The Institute is, at present, engaged on a reassessment survey for the municipality of Timmins, Ontario.



**Bureau of Municipal Research of Des Moines.**—Excessive expenditures for motor vehicle operation in the municipality were found by the Des Moines Bureau of Municipal Research in a recent study on the operation and maintenance of city motor vehicles. The Bureau discovered that excessive amounts were being paid to a number of city employees for the use of their private automobiles in city service. These rates vary from \$60 a month to \$1.50 per day. The city commissioners have co-operated in working out a plan for a reduction in these allowances. The study also showed that incomplete records of the cost of operating motor vehicles were being kept in a number of departments. This the city commissioners will rectify.

The Des Moines Bureau of Municipal Research is co-operating with city officials in seeking remedial legislation in the next state legislature to offset the loss occasioned by lapsing levies, which has entailed a cut of \$200,000 in the 1926 budget under that of 1925. This budget reduction forced the laying off of a number of policemen and firemen and curtailment of a number of street department activities.

# MUNICIPAL ACTIVITIES ABROAD

EDITED BY W. E. MOSHER

**Municipal Insurance.**—The tendency towards co-operation insurance rather than to make use of a regular insurance company is rapidly spreading among English cities. This movement was started in individual towns which at first covered only a part of their risks by paying into special funds the amounts of the fixed premiums which would otherwise have gone to insurance companies. As an illustration, the London County Council over a period of time paid into its own treasury something over 8,000 pounds, determined by customary rates, out of which sum the losses covered amount to 3,000 pounds. The surpluses are regularly invested as would be the case with a standard insurance company.

Some years ago a group of municipal accountants sent out a questionnaire to 57 different authorities and found that during the preceding five years they had paid 28,000 pounds in premiums and that their losses amounted to only 3,000 pounds. As a result of this investigation, a municipal insurance company was launched in 1904 which in the course of the past 21 years has gained a clientele of 700 public authorities which are protected against all types of risks except in the field of life insurance. During this period the company set aside reserves in excess of 250,000 pounds while at the same time over 60,000 pounds have been returned to insurers in the shape of reduced premiums. The surplus funds are regularly invested with local authorities.

The advantages of this type of public enterprise are obvious and seem particularly appropriate in view of the fact that municipal and county risks are likely to belong to a preferred class.—*Local Government News* (London).



**Municipal Enterprise.**—A report recently issued by the Stationary Office of the British Government reviews the status of the concerns supplying electricity to municipalities from 1920 to 1923. Comparative figures for public and private undertakings are given for this period.

It is brought out that the total capital expenditure of all agencies for the last year mentioned

was 158 million pounds. The percentage of total electricity supplied to municipal bodies by public enterprise amounted on a unit basis, to 62 per cent in 1922 and 1923. The average cost per unit charged by local authorities was 55 pence, and by private companies, 52 pence, while the quality of the service was equally high.

According to this report the main differences have to do with gross surpluses, the gross surplus for local authorities being nearly 9 million pounds for private companies 5½ million pounds. In case of both groups of companies, the gross surplus was about 10 per cent of the capital expenditure. The disposition of this amount in the case of publicly owned undertakings was as follows: 30 per cent went into interest on capital raised, 35 per cent on compulsory loan repayments looking toward the purchase of the undertakings on the behalf of the community, and 15 per cent to reserve. In the field of private production, 55 per cent of the surplus went into interest and dividends and 38 per cent to reserve.

It will be seen from the above that the surplus in the hands of a municipal undertaking goes to reduce capital indebtedness, to assist rates, and to build up reserve funds; whereas with the privately owned companies, these profits are distributed among the private shareholders or put in reserve, which is, of course, accruing in their interest.—*Local Government News* (London).



**Non-Voting—A Statistical Study.**—The Statistical Bureau of Muelheim on the Ruhr has recently made a careful analysis of the votes cast at the last election for Reichstag members and the president of the Empire. The number of eligible voters, of actual voters, of non-voters, as well as their distribution according to various districts, parties, and groups of parties, are brought together both on an absolute and relative basis.

Especial attention is paid to the non-voters, who are classified on a basis of age, sex, marital condition, calling and industry. Over 21,000 forms were filled out in collecting this information.



Among other things it is pointed out that unwillingness to vote is stronger on the part of female voters than male. The percentage of non-voters is about twice as high among unmarried males as among married males, while the percentage among the females is 30 per cent higher with married than unmarried. Another interesting phenomenon is that non-voting, which increased as compared with the former election, does not strike all parties alike. The conservatives suffer more seriously than the radicals so that the position of the latter is relatively much improved because of civic indifference.

The distribution of voters among the parties shows a marked difference as between males and females, and between married and unmarried.

Interesting observations are made with regard to voting by age groups. In general it is pointed out that the percentage of voters increases continuously from the youngest age group up to 40-50 years among women and from 50-55 among men. From these points on there is a steady decline in percentage of voters. The interest in the oldest group, however, is proportionately greater than in the youngest in the case of men, but not in the case of women.

So far as the distribution among parties is concerned, male voters are distributed in the following ratios—from left through the center to the right—from 100 to 84 to 91, while with the women the ratio is from 100 to 107 to 113. In other words, the women are inclined to be much more conservative than the men. Finally, the unmarried voters contrast with the married in that a higher percentage of the former vote among the radical parties than among the conservatives.—*Zeitschrift für Kommunalwirtschaft* (Berlin).



**Regional Planning.**—After investigations extending over three years, one of the most ambitious projects for regional planning has just come to the attention of the public in the form of an elaborate volume published by the city of Manchester. The report covers an area of over 100 square miles in which are located 96 govern-

mental authorities. The population involved numbers nearly 3,000,000. It is claimed that the area is the most highly industrialized for its size in the world. For this reason alone its character is peculiarly challenging.

The report deals exhaustively with traffic problems, zoning, recreation, water, gas electricity and sewage disposal. The problem is greatly complicated by the existence of all sorts of special local authorities, some supplying one utility and some another, some disposing of drainage and sewage, while others have charge of the street car and motor bus lines.

From the point of view of general community well-being, it is essential that such over-lapping and duplication should be cleared up and recommendations as to procedure for joint action are included in the report. This means, of course, voluntary acceptance of limitations by existing local authorities.

The report is the result of the labor of 300 representatives whose studies have been financed by annual contributions from all local authorities involved in proportion to the assessed valuation of the areas represented in each.—*The Municipal Journal* (London).



**School for Public Officials.**—The association of public employees at Warsaw is organizing a school of public and local administration to give to those engaged in public duties an opportunity of gaining a broader theoretical acquaintance with their work. The courses outlined deal with the science of administration in general, with social and political economy, with public and penal law and a wide range of subjects from the field of local government. The course is to last one year of two semesters, or 180 hours. The school is open not alone to what may be called practitioners, but also to those who may be interested to enter later upon the career of a public official. Special investigations looking toward dissertations are prescribed. Regular certificates and examinations are given at the end of the course.—*Les Sciences Administratives* (Paris).

## NOTES AND EVENTS

**Serious Charges Against Cleveland Civil Service Commission.**—The Citizens League of Cleveland, for the past four months, has been making a detailed investigation of the administration of the merit system in Cleveland. The results of the study were presented to the executive board in March and the board decided to prefer charges against the local commission, and to ask the state civil service commission, under the power granted it by state law, to investigate the charges and submit a report. The state commission has held numerous similar investigations in cities of Ohio during the past ten years.

The eight charges were in brief as follows:

1. The civil service commission has violated the law and the principle of effective discipline and sound administration by restoring dismissed employees of the police and fire forces to their positions after dismissal by the director.

2. The commission has violated both the letter and spirit of the civil service provisions of the charter: (a) by giving noncompetitive tests where competitive tests are required by law; (b) by holding special examinations for individual applicants; (c) by authorizing the regrading of examination papers after the time had expired for such regrading; (d) by altering eligible lists contrary to the rules of the commission; (e) by giving too great weight in examinations for experience; (f) by permitting persons to take examinations who did not have the entrance qualifications.

3. The commission has largely ignored the constitutional and charter requirements for filling vacancies by promotional tests.

4. The commission has, without question or investigation, authorized wholesale waivers of certification by eligibles.

5. The commission has continued to approve as legal pay rolls containing the names of persons holding positions illegally.

6. The commission has destroyed examination papers and other records in violation of the municipal code and the commission's own rules.

7. The commission has abandoned the use of technically trained men and women to assist their examiners in tests for highly technical positions.

8. The commission has failed to enforce the charter requirements prohibiting political activities.

The League's committee appeared before the state commission and the date was fixed for the hearing in Cleveland. Later, however, the state commission notified the League that the attorney general had rendered an opinion that the commission has no authority to investigate local civil service commissions in Ohio under the home rule provisions of the constitution. The League held a different opinion but decided not to take the matter into the courts.

Early in April the same charges were filed with the city council of Cleveland, which appoints the civil service commission, asking the council under the authority granted in the city charter to appoint an investigation committee which would have the power to subpoena witnesses and compel the production of books and papers. The charges were accompanied by the form of resolution instructing the mayor to appoint such a committee. The matter was referred to the judiciary committee and two hearings have been held on the resolution.

The indications are that the council will, if possible, avoid the investigation. Two of the newspapers are supporting the League's demands and public opinion may be able to force the council to adopt the resolution.

MAYO FISHER.



**State and Local Reorganization Proposed in Virginia.**—Governor Byrd is actively behind a program of reorganization and simplification of the state and county governments of Virginia. The state administrative organization, he believes, is approaching chaos. There are nearly one hundred bureaus, boards and departments, many of which are independent of each other and of the governor as well. The governor is permitted to appoint the members of only twenty of the fifty-seven administrative commissions and departments upon whom he must rely to make his administration efficient. Ten important administrative officers are elected by the people and five by the legislature.



County government, he finds, is as bad, if not worse, than the state. His specific recommendations relating to this subject, which were incorporated in an address to the legislature and have since been introduced therein provide for the following:

A county budget.

Thirty days' notice before a tax levy can be increased with opportunity for public hearing.

Biennial audit of local accounts by the state accountant.

Bonds issued only by direct vote of the people.

Far-reaching reform of local government, however, must await constitutional amendment.

The recent legislature seemed to be heartily behind the governor's program and passed his resolutions proposing various constitutional changes to secure the short ballot in the state government; but the real fight will come at the next session when the amendments are up for final approval by the general assembly.



**Hylan Pension Vetoed by Court.**—Two local laws, passed by the New York Municipal Assembly under the home rule act and designed to bring Mr. Hylan within the provisions of the pension system, were declared void recently in the supreme court on the ground that the pension system is not a municipal affair inasmuch as it extends to county employees. The court held that the interests of the county employees are inextricably tied up with those of city employees and could be adversely affected by changes which the city might make in the pension system. The state statute establishing the pension system covers both the county and the city and the subject is not one on which the city can act under its home rule power.

One of the two local laws declared invalid reduced the minimum retirement age for clerical, administrative and professional workers (the

class to which Mr. Hylan belonged) from 60 to 55 years. At the time of his retirement Mr. Hylan was only 57 years old and did not qualify for a pension under the state law. The other local law invalidated was designed to base the pension allowance on the average annual compensation earned in city service during the last five years of such service instead of the average of the last ten years.

Mr. Hylan has appealed the case and it is now before the appellate division. The original action was instituted by William Jay Schieffelin, president of the New York Citizens' Union.



**Brownlow Resigns City Managership of Knoxville.**—City Manager Louis Brownlow resigned his post on May 10. In a letter addressed to the city council he gives the reasons for his action as a gradual weakening of his physical condition coupled with the fact that he has been made the "official target for every sort of political potshot that mendacity can mould." Those who desire to regain control of the city for selfish ends and who would destroy the present system of administration, states Mr. Brownlow, attempted to persuade the public that their purpose was to get rid of him. He believed that if he eliminated himself "these agents of deceit" would have to find a new mask.

Mr. Brownlow's friends know him as an indefatigable worker and will recall that he has twice broken down on his present job. His physician advises a prolonged period of rest and this together with the political attacks upon him led him to believe that it was impossible for him to continue as manager.

Mr. Brownlow's accomplishments as city manager of Petersburg and later of Knoxville are known nation-wide, but many have felt that the demands of his present post have been making serious inroads upon his health. The Knoxville *News* in a front page editorial refers to the city's loss as irreparable.